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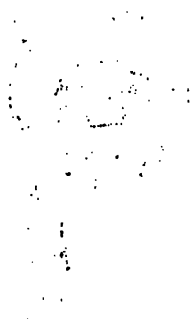


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MEMOIRS
OF
FRANCIS HORNER.



MEMOIRS
OF
FRANCIS HORNER.

WITH
SELECTIONS FROM HIS CORRESPONDENCE.



EDINBURGH:
WILLIAM AND ROBERT CHAMBERS.
1849.

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EDINBURGH :
PRINTED BY W. AND R. CHAMBERS.

DEDICATION OF THE ORIGINAL EDITION.

TO THE HONOURABLE

L O R D M U R R A Y.

MY DEAR LORD MURRAY,

ALL who read these volumes will feel, I am persuaded, as I do, that I could not dedicate them to any one with so much propriety as to yourself. They will have seen that, from early youth to the close of my brother's life, you were his intimate and confidential friend; and that in your affection he found one of the chief sources of his happiness.

Your attachment to him led you to preserve all his letters, and you were thus enabled to supply me with the principal materials for this work. Without the extensive correspondence which you placed in my hands, I must have failed in accomplishing the object I had in view: the giving, in his own words, a continuous narrative of my brother's life.

I beg you to accept this Dedication, in testimony of my grateful sense of these obligations, and as an expression of my own sincere regard. I am, my dear Lord Murray, very faithfully yours,

LEONARD HORNER.

BEDFORD PLACE, LONDON,
20th Feb. 1843.



PUBLISHERS' NOTICE.

IN 1843, the *Memoirs of the lamented FRANCIS HORNER* were given to the world under the able and appropriate editorship of his brother,* Mr Leonard Horner. The work having latterly gone out of print, it occurred to us that a new edition, in a form which would render it accessible to a large portion of the community, would be favourably received. With the approval of Mr Horner, the present edition has therefore been prepared.

The career of Francis Horner is one of the most exemplary which biography can present to the young. It is that of a man who, without aristocratic birth, fortune, or even dazzling genius, had made for himself a great unsullied name, and was treading the sure path to high station, in which he was stopped only by an untimely death. The great importance of his example lies in this, that the secret of his success rested in qualities more or less at the command of every one—diligence, steadiness, independence, and integrity—and his biography teaches more emphatically than almost any other that has been written, how much our lot in life is of our own making. In troubled times, the young political aspirant may learn how to steer his course by this example: he will see how ardour, courage, and independence may all tend to good purposes when they are regulated by reflection, firmness, and integrity; and he may learn how the boldest and most original political views may be followed out with safety and advantage.

In producing this work in a condensed form, it was necessary in some degree to re-arrange its parts—to unite together passages originally dispersed, which served to explain each other, and to discard much that had a mere temporary or local interest. It was necessary here and there to insert remarks or brief narratives, serving as a means of cementing, as it were, the different parts together. But essentially the plan of the original work has been adhered to in this important feature, that Horner himself is made, through his journal and his correspondence, the teller of his own history.

W. AND R. C.

* *Memoirs and Correspondence of Francis Horner, M.P.* Edited by his Brother, Leonard Horner, Esq., F.R.S. 2 vols. 8vo. London: Murray, 1843.



PREFACE

OF THE ORIGINAL EDITION.

SOON after Mr Horner's death, in the spring of 1817, his family and more intimate friends were desirous that a biographical memoir of him should be published, ample materials for such a work having been found. He left several papers in his own handwriting, which disclosed many interesting circumstances in his early life and education, and others which threw light on the history of his later years. An extensive series of letters from various correspondents was also found, and when application was made to the writers of them, a large number of my brother's own letters was obtained; his friends very generally expressing a kind interest in the contemplated work.

Towards the close of that year, the papers and correspondence were placed in the hands of an intimate friend of my brother, well qualified to do justice to such a subject. But amidst the engagements of official life in London, and the attractions of a widely-extended society, it is scarcely possible to command that degree of leisure which most men would deem indispensable for the composition of such a work, especially when a large collection of manuscript must previously be examined: thus it was with my valued friend; and after several years had elapsed, he returned the papers to me, without having had an opportunity of doing more than examine those of the most interest.

After a short interval, they were sent to another eminent person; who, by his early and uninterrupted intimacy with my brother, his varied accomplishments, and his known powers as a writer, was peculiarly fitted to be his biographer; but after the materials had been some years in his possession, he too was forced, by the pressure of professional engagements and the duties of office, to decline the work he had been solicited to undertake, and which he at one time hoped he might have been able to execute.

I now relinquished all hope of the attainment of an object I so much desired: I lamented, in common with many others, that a debt which was felt to be due to the memory of my brother should not be paid, and that materials should be lost which might have been so employed as to have extended his usefulness beyond the term of his brief existence. I knew my own powers to be unequal to the composition of a biography of one whose studies and pursuits had been so different from my own,

even if there had been no objection on the ground of my near relationship.

But the publication of the *Memoirs* of Sir Samuel Romilly suggested a new course. We are told by the editors of that valuable work that 'they have confined themselves to the task of selection and arrangement;' that 'they have sedulously abstained from comment and remark;' and that all they have given had 'been written by their father, or by one of his correspondents.' As the materials they had employed appeared to me to be in many respects very similar to those in my own possession, I felt an assurance that, by a careful selection from the papers and correspondence, by the addition of a few pages at the commencement and close, and by filling up occasional blanks in the course of the narrative, it would be possible for me to make my brother himself narrate the history of his life. Such is the work I now venture to lay before the public.

The letters of my brother which I have given constitute little more than a third of the number I possess; I have also given extracts only from a Journal he kept between 1798 and 1803; and I have not inserted more than a small number of the letters of some of his correspondents. I have been obliged to omit much that I would willingly have published; but I restricted my work to two volumes, which I considered the utmost length to which it could with any propriety be extended. In the choice of the materials, I have selected those which bear most directly upon my brother's character, opinions, and personal history; some of the letters, if taken by themselves, may be thought too unimportant for publication, but they must be viewed as links in the narrative.

There are, I doubt not, many highly-educated persons, many of our younger statesmen, even among those who have risen to distinction, to whom the name of Francis Horner is unknown. Twenty-six eventful years have passed since his voice was heard in Parliament; and the rapid succession of eminent men who appear upon the stage of public life soon effaces the remembrance of those who have gone before; except the few who, gifted with health as well as superior talents, lived to act the chief parts, and on whom the public eye had long been fixed; or those who, by their writings, have established a lasting reputation. But if this work should fall into the hands of any of the persons to whom I have now alluded, I would ask them to refer to the account of what took place in the House of Commons on my brother's death, and to the other 'tributes' to his memory. They will then, I think, be disposed to allow that I have not been misled by my affection, in believing that the history of one of whom such things could be said, by such men, cannot be otherwise than interesting and instructive.

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FRANCIS HORNER.

CHAPTER I.

AGE, 0-18.—1778-1796.

Birth—Parentage—Early Training and Predilections—First Companions—Brougham—Sent to the High School—His Proficiency—Edinburgh University—Choice of a Profession—Proceeds to England—His Tutor—Commencement of his Correspondence—Metaphysical Discussions—Attendance in the House of Commons—Fox and Pitt—Correspondence with Mr Murray.

FRANCIS HORNER was the eldest son of Mr John Horner, a merchant of Edinburgh, and of Joanna Baillie, and was born there on the 12th of August 1778. His paternal grandfather was a native of Yarm, in Yorkshire, who married Miss Hay, a lady from Edinburgh: he died very young, and his widow returned, with three infant children, to her native place. His maternal grandfather, Mr John Baillie, a younger son of the family of Baillie of Dochfour, in Inverness-shire, was admitted a member of the Society of Writers to the Signet in Edinburgh in 1721, and married Miss Anne Broughton, the daughter of a gentleman who had been sent from the Excise Office in London to introduce some improvements in that office in Edinburgh.

Francis Horner enjoyed all those advantages which are derived in early life from the watchful care of sensible and judicious parents. His father had assiduously cultivated a naturally strong understanding; and by his general information, refined tastes, and liberal sentiments, was well qualified to give a right direction to the talents of which his son gave an early promise. His mother's excellent qualities had an influence no less beneficial in the formation of her son's character, for she united to a gentle nature great good sense, activity of mind, and an earnest unobtrusive piety, which shone forth in her whole conduct and in all her sentiments, and which she carefully impressed on the minds of her children. Never had parents a richer reward for anxious care and

confiding liberality: they received from this cherished object of their love and pride proofs of warm affection and respectful deference, at all times and in all circumstances, from early youth to the close of his life, as the following pages abundantly testify: they witnessed the full development of that character, of the noblest part of which—inflexible purity of principle—they had themselves laid the foundation; they saw him loved and honoured by the wise and good, and acknowledged as an ornament to his country.

Only a few anecdotes of his childhood and schoolboy days have been collected. In a letter written by his mother to his brother, soon after his decease, she says: ‘Frank was a delicate infant, and continued long a weakly child. I taught him to read, and thought him dull; but at six years of age he distinguished himself at his first school, and was the pride of his master. At the first annual examination, after he went to the school, upon his reciting a poem, I overheard one of the examiners, the late Dr Adam, ask “the name of that fine boy.” His earliest friend was Henry Brougham,* for before we left St David Street, in May 1780, they used to run together on the pavement before our house. Frank never was idle, even at that age: when he came home from church, he used often to repeat parts of the service in the nursery; he said he should like to be a parson, and my mother made him a black gown and bands. One day when Mr Blair, afterwards President of the Court of Session, was dining with us, my little fellow was invited into the room after dinner, dressed in his gown and bands; and the manner in which he went through his part struck Mr Blair so much, that he said to me, “You must bring up that boy to the bar.” He went to the theatre for the first time the winter following; the play was *Hamlet*, with the afterpiece of the *Poor Soldier*: much to our astonishment, he soon after repeated the soliloquy of *Hamlet*; acted several of the different characters, even to the ghost, without confusion; did the same with some of those in the *Poor Soldier*; and sang the songs with great humour. He was not unhealthy, but never robust; I often thought that his anxiety to learn his lessons made him indifferent about his meals. He had a private tutor in the evening, who, as all who ever superintended his education, gave him the highest praise.’

In 1786 Francis Horner was sent to the High School of Edinburgh, where, according to the routine of the school, he became a pupil of William Nicol, a man of a vigorous understanding, but a very indifferent master, whose name has been saved from oblivion by the verses of Burns. He remained four years with Nicol, who taught the elements of Latin only, after which he was placed under the care of a very different person, the learned and amiable Dr

* The present Lord Brougham.

Alexander Adam, then rector of the school, under whose tuition he continued two years. He always retained a warm affection for this excellent man, and on the occasion of Dr Adam's death, in 1809, he thus records his obligations to his old master: 'I have always felt a most agreeable debt of gratitude to him, for the love he gave me in early life for the pursuits which are still my best source of happiness, as well as for the most valuable impressions in all subjects of political opinion.' At the annual public examination of the High School, on the 10th of August 1792, he was the *dux* of the rector's class; that is, he was the head boy of the whole school when he left it to go to college. On this occasion, as I have learned from one of his schoolfellows,* who was present, he delivered to Dr Adam a book which the boys of the class had subscribed for, as a testimony of their respect and gratitude; and it was on this occasion that he first spoke in public: it was a Latin speech, of his own composition; and Lord Cockburn adds—'It was well composed, and well spoken.' Although he was always of a cheerful temper, he had, even when a young man, a certain gravity and earnestness of character, which led his more intimate friends to call him jocosely 'the Sage' and 'the Ancient Horner;' but I have been told by two of his early companions† that, as a boy, he was given to fun and gaiety, and that he acted comic parts and sang humorous songs in some private theatricals with great spirit.

In November 1792 he was matriculated as a student of the university of Edinburgh. He remained at college until the close of the session in the summer of 1795, and during these three years he prosecuted his Latin and Greek studies, acquired the elements of mathematics and natural philosophy, attended the lectures of the professors of logic, moral philosophy, and rhetoric, and acquired some familiarity with the French language. In the last year he was a member of the 'Juvenile Literary Society,' established by the students of the college for the discussion of literary subjects by essays and debates.

He had now arrived at a time of life when it was necessary to think of his future profession: his own predilection for the bar was encouraged by his father, and the plan of his future education was regulated accordingly. He had as yet lived constantly at home; but his father being anxious to give him those advantages which a youth derives from being thrown upon his own resources among strangers, and at the same time thinking it desirable that he should be freed from the disadvantages of a provincial dialect to a public speaker, it was determined that, for the next year at

* Henry Cockburn, now Lord Cockburn, one of the judges of the Court of Session in Scotland.

† James Pillans, now professor of humanity in the university of Edinburgh, and John Archibald Murray, so frequently mentioned in the following pages.

least, he should prosecute his studies in England. Upon the recommendation of his mother's relative, the Rev. Dr Gaskin, he was placed under the care of the Rev. John Hewlett, at Shacklewell, in Middlesex.

From the letters he wrote to his family and friends during his stay at Shacklewell, I have selected those which best indicate the nature and extent of his acquirements at the close of his academical education, the studies in which he was next engaged, and the progress he made while under the guidance of his accomplished and judicious tutor and friend. And now, having briefly narrated such particulars of my brother's early life as his own papers did not supply, but which the reader will naturally expect to be made acquainted with, I leave him to be his own biographer.—L. H.

LETTER TO HIS FATHER.

'SHACKLEWELL, 24th Nov. 1795.

HONOURED FATHER—I received the agreeable information of your safe arrival at Edinburgh by my dear mother's letter. I hope she believes me grateful for the very kind injunctions it contains, and that I shall endeavour, by obedience, to deserve a frequent repetition of them. Beside their influence in guiding me to what is proper and becoming, I shall derive from them the pleasure of considering myself under her immediate direction, and of sometimes forgetting that I am at a distance from home.

I shall endeavour, my dear father, to give you an idea of the manner in which I now pass my time; though that I shall be better able to do some time afterwards, when I have methodised the business of each day, and become accustomed to a fixed plan, without which it is impossible to carry on study of any kind with the least profit or despatch. I make a point of reading Greek or Latin every day. The 'Annals of Tacitus' and 'Iliad of Homer' are my present books in that line; whatever assistance is necessary I receive from Mr Hewlett, who generally sits with me an hour every day. The afternoon I devote sometimes to mathematics, and otherwise to the formation of English style, by translating from the French, attempting original composition (both of which Mr Hewlett examines), and by perusing classical authors, such as at present Bolingbroke and Junius. When my books come up, and Dr Gaskin (as he has been so good as promise) obtains me access to one of the public libraries in town, I shall be enabled to extend and improve this plan. With respect to one great object for which you were at the expense and trouble of placing me here, I think I am beginning to *pronounce* some words as Englishmen do, and just to *feel* the difference between the *rhythm* of their conversation and mine. I find, however, that it will be a much more difficult matter than it would have been two or three years

ago, and than it would be now, were I blessed with a more acute and delicate ear.

Remember me to my mother, and her mother's family, and to all my friends in Edinburgh. I shall not recall the tears of affliction by condoling with Leonard on the death of his favourite rabbit.

Allow me, my dear father, to believe myself your dutiful and affectionate son—FRA. HORNER.'

EXTRACTS FROM LETTERS TO MR JOHN ARCHIBALD MURRAY.*

'SHACKLEWELL, 23d Nov. 1795.

On Friday, 6th November, I fixed my abode at Shacklewell. The rev. gentleman under whose superintendence I am keeps a boarding school for boys, on which account I have my bed and study at a room in a different part of the village; by this means I am at a distance from the boys, the music of whose motions is not always exactly the same with that which Pythagoras ascribed to the celestial spheres—so harmonious as not to be heard. At Mr Hewlett's house, however, I take all my meals; and he generally sits with me about an hour every day in my own room. He is a most agreeable man; an elegant and general scholar, in the most extensive sense of the words. I consider myself peculiarly happy in having fallen into his hands, and believe I shall pass the ensuing twelvemonth with much more pleasure and much more profit than I expected when I saw you last.

This detail I have given you, because I believe you would be as glad to hear of my having found an agreeable situation, as I am anxious about everything that interests you. Write me, my dear friend, as soon as possible. You may believe with what pleasure I must seize every letter from Edinburgh.

Tell me how you are managing your studies, what classes you attend, and what books you are devouring. I see nothing to prevent us carrying on our *Disputationes Academicæ*, though we are four hundred miles asunder. Metaphysics can war loud enough, and I can get franks every week. Come, I order you in the name of Hume, and Smith, and Dugald Stewart, to select a question immediately, and to begin upon it in your very first letter. The controversy would be much the better for our friend Brougham's assistance, and I shall give him a hint. In the meantime remember me to him.

* Now Lord Murray, and a judge of the Court of Session. Mr Murray was elected representative for Leith in the first reformed parliament, and represented that district until he was raised to the bench in 1839. He had been for several years Lord Advocate of Scotland. Many who may have had no opportunities of appreciating his professional and official merits, or of seeing him in the brilliant literary circle with which his name has been so intimately associated, will probably recognise in him the warm and liberal supporter of almost every project that seems to hold out a hope of practical benefit to his countrymen.

LONDON, 15th Feb. 1796.

It gives me very great satisfaction to find that you have such a relish for the new branch of science on which you have lately entered. All my former labours in that way are of little use to me, I find, in England; ignorance of the improvement of late years extends the influence of that well-founded opinion which the English literati and all unlearned men have formed against the absurd and trifling metaphysics of the schoolmen, and the dangerous refinements of modern materialists. This prejudice, however, will of course wear gradually away; and there can be but little rashness or unfounded expectation in believing that in the revolution of a century the science of the human mind will hold the same rank, be as generally cultivated, and applied to practical uses equally important, as the science of experimental philosophy is at present. The free communication of sentiments which subsists between us, my dear Murray, will, I am sure, suffer me to give you, from my own experience, an advice with regard to the first prosecutions of this study—namely, to write on all the subjects which the professor prescribes. The advantages, in every respect, which attend this I believe to be immensely great. With regard to Reid, the arguments against the fidelity of the senses must be refuted (in the logical treatise which you mention), I should apprehend, in a manner different from his, as it rests entirely on what is thought his greatest improvement in the science—the accurate distinction which he has established betwixt sensation and perception. * * *

You ask, my dear Murray, for an account of my studies: at present I confine them to the impressing on my mind more strongly those very few branches of knowledge which I had cultivated before leaving Edinburgh—mathematics, languages, and your science of *nousology*, occupying each a portion of my daily employment. This I am obliged to do, on account of the time which I must spend in considering the principles of English pronunciation and English composition. In prosecution of the last of these I sometimes attempt myself, sometimes translate from my favourite Rousseau—carrying on at the same time, under the direction of my friend Mr Hewlett, a very rigid examination of the style of Mr Hume in his 'History,' which I am astonished to find abound so much both in inaccuracies and inelegancies.

I have not been at the House of Commons so frequently as you would suppose. Added to the distance, and the inconvenience of getting home after midnight, when it is above five miles off, and part of that, too, in the country, I must confess that I was greatly disappointed in my expectations with regard to the eloquence of the British senate. The best of them—and

the good are very few—speak with such an unaccountable tone, they have so little grace in their action and delivery, and such a set of cant appropriated phrases have crept into use, that he who has previously formed ideas of eloquence from what he has read of that of Greece and Rome, must find the speeches even of Fox and Pitt miserably inferior. The one indeed speaks with great animation, and, I am convinced, from the warmest sincerity of heart; and the other has a most wonderful fluency and correctness, approaching almost to mechanical movement. But neither of them has proceeded so far as the observance of Shakspeare's rule; for the one 'saws the air' with his hands, and the other with his whole body. The paper can contain no more.

LONDON, 21st June 1796.

You say a speaker's object in the House of Commons is not so much to move the passions of his audience as to convince their understandings. What their object *is*, would, I believe, be very difficult to ascertain; in considering what it *ought to be*, I should be apt to differ from you. When we recollect that perhaps not one member comes into the chapel without his opinion previously formed on the questions that are to be discussed, and that his opinion is almost always established merely on a consideration of the interest of the side to which he has attached himself, without any general discussion, it would seem fruitless to think of working on that man's understanding, because he has set out from the beginning with a defiance to all argument and reasoning. I should think it necessary to go to the original foundation of his opinions, raise one set of passions to destroy the effect of others; show him it is his interest to adopt the conclusions which I point out; and hurry away his whole thoughts by such a stream of argument and passion, as will make it impossible for him to decline being what I am resolved he shall be, and at the same time lead him to consider the change in his mind as the effect merely of his own judgment. This was the object Demosthenes seems to have had in view, and to this effect Lord Chatham's eloquence certainly approximated. From this part of your letter I must pass over your many admirable observations on the action of speakers, because I find it utterly impossible to raise any cavil or shadow of objection, till I come to what you say with regard to the taste of the multitude, of the justness of which permit me to doubt. I should even hesitate with regard to the fact, and that without instituting a comparison between the mob that issued from the purlieu of the Piræus, and the frightful group whom I t'other day saw round the hustings in Covent Garden, for we were speaking of the House of Commons; but admitting the fact to be true, the true seat of eloquence is amid passion, and ignorance, and prejudice, and fury—'Ac veluti

*magno in populo cum sæpe coorta est.** I need only mention one line, though I wish to recall the whole to your imagination. Nay, I think that in the House of Commons the manner of the orator ought perhaps to be more artful and more violent than even in addressing such mobs as those already noticed; as I should suppose it more easy to turn the current of enthusiasm, when once it flows, than to excite any considerable degree of it in a cold, selfish, and interested mind.

CHAPTER II.

AGE, 18-20.—1796-1797.

Tour to the Isle of Wight—Correspondence—Criticism—Junius—Study of Roman Law—Germs of Political Views—The Duke of Marlborough and Conquerors—His Progress in his Acquirements—Account of his Habits and Method of Studying—Plan of Future Studies—Its Comprehensive Character—Return to Scotland—The Speculative Society.

A letter to his father, dated 4th July, 1796, shows that he had just returned from a pleasant tour in the Isle of Wight, in which he was accompanied by his tutor Mr Hewlett. He says: 'As far as I am able to judge, the Isle of Wight is, of all the countries which I have seen, the best calculated for *laying out*, as it is called, for the gratification of that elegant talent, the object of which is to transfer the scenes of nature from one situation to another, and, by happy combinations, to create scenes even superior to those of nature; the country abounds so fully in all the materials on which a mind possessed of this talent may exercise itself, and the ground is so beautifully and infinitely varied. * * *

The impression, however, which the prospects of the Isle of Wight leave on the mind is by no means uniform, any more than

* From the first book of the *Æneid*:—

*Ac veluti magno in populo cum sæpe coorta est
Seditio, sævitque animis ignobile vulgus;
Jamque faces et saxa volant, furor arma ministrat;
Tum, pietate gravem ac meritis si forte virum quem
Conspexere, silent, adrectisque auribus adstant;
Ille regit dictis animos, et pectora mulcet.*

As when in tumults rise the ignoble crowd,
Mad are their motions, and their tongues are loud;
And stones and brands in rattling volleys fly,
And all the rustic arms that fury can supply.
If then some grave and pious man appear,
They hush their noise, and lend a listening ear,
He soothes with sober words their angry mood.—DRYDEN.

the objects of which the prospects are composed. There are many opportunities for recalling the manners and the actions of former days, among which the extensive and venerable remains of Carisbrook Castle afford the most striking. Along the coast, also, the cliffs are in many places very grand; on the south coast, where they are most so, they seem all one uniform stratum of chalk, and rise to the perpendicular height of from three to six hundred feet above the sea. Here Shakspeare's description was tritely appropriated; even the circumstances of the choughs and samphire-gatherers were not wanting.

From these cliffs we had fine prospects of the interior part of the island and the opposite coasts of Hampshire; and on the other hand the immense extent of the English Channel. The noblest prospect of the kind I ever saw—perhaps I may say that can anywhere be seen—is that of Portsmouth and Spithead from the rocks of the Priory, a seat of Judge Grose's; it is situated within a mile of St Helens. With regard to the inhabitants, they have all the simplicity, and hospitality, and good-breeding, which are the blessings of a country devoted to agriculture; their dialect appears the same as that of Hampshire and the other western counties, except on the northern coast, where they have an opportunity of intercourse with Southampton and Portsmouth.

On the 3d September he thus wrote to his father from Shacklewell: 'I shall now endeavour to give you the idea which I myself have formed of my progress in pronunciation, &c.; whether that will be accurate, I am uncertain, but I hope you will not doubt its being *true*, so far as it goes; on such a subject vanity would be imprudent, because my friends will be disposed of themselves to form rather high expectations, and an affectation of modesty would be equally ridiculous.

I am sensible that I have by no means made myself master of all the variety of the English accents: I am now and then detected in a Scotch inflexion, but hardly ever without previously detecting myself. This circumstance will inform you of the degree of advance I have made, as the first and longest step to improvement (especially in such delicate matters as intonations of voice and shades of sound) is the ability of feeling where the fault lies. It satisfies me of what is in my power, of what might be done. This is the point, however, of which I am most afraid, when I shall be deprived of the examples and models that at present surround me, and furnish me the advantages of habitual imitation; and even diligence will have no other guide than memory.

I must now come to the other two points—of pronunciation and reading. The latter is evidently independent of my stay in England: wherever the talent is made an object of ambition, it may be acquired anywhere by means of regular and well-

directed practice. In this likewise I have the double difficulty of getting rid of one set of habits and establishing a new one. I have begun to advance in both. I am sure that I read a great deal better than I did some months ago. But a great deal remains, which, amidst so many objects of attention, can only be the work of time. As to pronunciation, that also can only be formed in the style which I have proposed to myself—by gradual practice. As to the retention of it, I have no fears at all: after what I have already acquired, it may be pursued, I should suppose, as well at Edinburgh as in London.

In this way I have endeavoured to give you as faithful a copy as I can express of my real opinion of my own acquisitions and disappointments. At the same time I shall desire of Mr Hewlett to write to you upon the same subject; by a comparison of the two, you will probably get at the real truth.

Meanwhile permit me to express to you how much satisfaction and pride I derive from reflecting that the consequences of the plan of my coming to England are so strikingly coincident with the expectations which you formed, even before it was begun to be put in execution. I have been unable to pass the limits which you foresaw would be prescribed by the nature of the thing, and I have not kept very much within them.

I deeply regret the very great expense which I have put you to, in consequence of my residence in London. But let me intreat you to believe that to have arisen, in a great measure, from the necessity which such a situation imposed on me; and allow me sincerity in assuring you that I can recollect no expenditure in which I have any other circumstance to regret, or accuse myself of, but that of losing the money. I can recollect no circumstance of voluntary extravagance, though it is evident I have been extravagant on the whole. At the same time, as most of your very liberal allowance has been laid out in books, I hope you will not consider it as altogether thrown away; with the same expense I might have appeared less so to you. But I would not suffer myself to be tempted by the hopes of what my own industry might in time refund, to incur the disgrace of dependence on another person, or free myself at all from that dependence in which there is no circumstance of which I am not proud, except that of being subjected, by want of management or occasional folly, sometimes to abuse it. I shall therefore accept of the offer which you have made me, hoping I may never again be in a situation to be ashamed to need such an offer.

In an answer dated 10th September, his father, after expressing his satisfaction with his son's progress, says: 'With respect to the expense of your education, it never gives me a moment's thought: the money that is laid out in fitting you for your profession

cannot be called misspent. I wish you not only to be as well educated as others that are to follow the law, but it is my ambition to have you better educated. Of all professions, there is none in which enlarged views are more required than in the distribution of justice. In your allowance I did not mean that books should be included; in that you have a charge against me. At the same time that I wish you to be comfortable in every respect, I cannot too strongly inculcate economy. It is a necessary virtue to all; and however the shallow part of mankind may despise it, it leads certainly to independence, which is a grand object to every man of a high spirit.'

In a subsequent letter he expressed his opinion that his son should remain for six months or even a year in England, if his own opinions and inclinations inclined him to do so. The suggestion elicited from Francis the following remarks in a letter of 10th October:—

'You will judge what satisfaction it gives me that the proposal has first come from yourself. It is, however, with the greatest regret and disappointment that I relinquish my hopes of soon finding myself under your roof, and among those who are dear to me; and it will, I think, be more than ever incumbent on them to keep up a constant correspondence with me, the only means of filling up any part of the want which I feel. I am afraid my mother has forgotten me, so long is it since I had any letter from her.

Another objection—that of expense—which I consider greater than any arising from the gratification of my own feelings, you have removed, by desiring me not to consider it. I had an idea also that three years' attendance on the law classes were required at passing the trials; but Mr Reddie* informs me that two years are the number necessary; even those not being rigorously exacted, if application is known to have been given. He has written me a very full account of the books proper for me to read during the ensuing winter, as well as a plan for reading them.'

Writing to his mother three days afterwards, he says: 'You have the goodness to regret the delay of my return. Believe me, it has been to me a very great disappointment. I had long been looking forward to our meeting, and enjoyed beforehand the gladness which I should give as well as receive; and formed a thousand expectations, a thousand plans. It is true I am as comfortable in my present situation as, in such, I could either expect or wish; but I have known the happiness of living with

* James Reddie, Esq., an advocate at the Scotch bar, who some years afterwards was appointed legal assessor to the city of Glasgow. He is the author of 'Inquiries, Elementary and Historical, in the Science of Law,' published in 1840.

my parents and my own family, among those whom I love above all the world, and who, I am sure, are fondest of me. Yet, my dear mother, it would be a criminal want of gratitude to my father—it would be real insensibility to the wonderful bounty with which he promotes my welfare in every point, did I not labour as far as it is possible for me to render his plans successful, and take as much of the advantage he intends me as I can reach. I considered it as my duty, therefore, to accept of his generous proposal; and endeavour to overcome my regret by still anticipating, though from so great a distance, the period of returning to my home.’

He received soon afterwards the following interesting and characteristic letter from his mother:—

‘EDINBURGH, 19th October, 1796.

MY DEAR FRANK—I need not tell you that your affectionate letter gave me pleasure, though at the same time it hurts me to hear you say that I had so long neglected writing to you, which I really did not intend; but I had once and again proposed writing at the very time your father meant to do it, and as I thought you would consider him and me the same person, it made me yield, as I knew he had something to say to you in regard to your future plans, which he understands better than I do. After all, you rogue, I have a notion you are in my debt; but I do not dispute it with you, and shall in future be more punctual. It is no small disappointment to us all your remaining in London, but we hope it is for your good.

You, and all of you, are most particularly fortunate in a most indulgent father, who, instead of having occasion to be prompted, is willing to deny himself in many instances, that his wife and children may enjoy the more; and I hope and trust that all of you will amply repay his goodness, by being grateful and attentive, should it please God to spare you and him together. I bless God we have no reason to complain. May the example of our eldest descend to our younger branches! I shall ever use my endeavour to promote their imitation.

And don’t consider it, my dear, as the cant of an old woman, when I admonish you, above all things, not to neglect your religious duties. I would much rather see you a good than a great man, and it is no uncommon thing for learned men to forget what is the most material part of their duty; but *remember*, if you do not remember your Creator in the days of your youth, you need never look for comfort in your old age. I say no more: you know your duty, and I hope will not reject the advice of one who has no other motive but your good. We are all in good health. I intended to send you a long letter about family concerns, but my paper will not admit of it.

Farewell, my dear. May health and happiness attend you wherever you are. I remain your ever affectionate mother—

JOANNA HORNER.*

EXTRACTS FROM LETTERS TO MR MURRAY.

* SHACKLEWELL, 26th Nov., 1796.

The first object which I have proposed to myself, in the study of civil law, is the history of Roman jurisprudence: not to pursue the subject through all its branches, nor into the disputed or obscure points of it, but to form such a general idea as may facilitate and enliven the study of the elements. For which purpose I have been reading the history of Heineccius. I wish to accompany this with the study of the Institutes, but have not yet been able to meet with the text-book of Heineccius. My copy of the 'Corpus Juris' is the octavo of Amsterdam; I bought it, and paid well for it, before I heard of the other with notes; nor do I regret it. The less one reads, the more time we have to read it well, though this will not apply with much propriety even to the copy without notes. As often as I see the book, I almost tremble; and whenever I open into the Pandects, I think of the descent of Æneas into hell—

'Vestibulum ante ipsum, primisque in faucibus Orci.'*

You know the rest. I have no doubt, however, by help of a little arrangement, generalising, and connecting it with other subjects, particularly politics and the philosophy of the human mind, to make it an interesting study. * * *

December 18.—Junius was one of the authors which Mr Hewlett pointed out to me as a model of English writing; but one of the chief rules which Mr Hewlett pointed out to me was, to imitate no particular style whatever. We never have examined the style of Junius together with much attention, as it was rather my object to be made acquainted with the faults which writers, particularly those of Scotland, are apt to fall into: a person's own taste must direct him to the beauties of composition. In attempting to appreciate the style of an author, we must ever, I think, keep in view the particular subject on which it is employed; as none can be called masters of style who cannot accommodate their style to their subject, and vary the character of the one as soon as the other is changed. Keeping this in mind, I conceive that were I to write political invective and satire, I should aspire to the style of Junius. His great excellence seems to consist in *pointing* whatever he says; nor is this by any means confined to the expression, as is the case with Seneca and

* From Virgil's *Æneid*—

Just in the gate, and in the jaws of hell.—DRYDEN.

Montaigne, but breaks out frequently in the sentiment. Hence the different effect which these styles produce. In reading the philosophers, their smart pointed sentences generally puzzle for a few seconds, and when understood, bring the author into our memory: those of Junius strike like lightning—*φλαξ υπαρις* [celestial fire]; and nothing is before us but the illuminated object. Such at least is the case with myself; and the statement of one's feelings may be a good criterion of the effect, though it gives but little assistance to an analysis of the circumstances by which that effect has been produced. Another excellence of Junius, though nearly connected with the preceding, is the distinct, or rather (if you will allow me to use the word) the glaring manner in which he exhibits any striking idea that comes into the course of his reflections—one of the first qualifications of style, as I am inclined to believe. It certainly must result in a great measure from an original strength of imagination, but may be much cultivated by attending to the selection and combination of impressive circumstances. * * *

From the style of Junius, it is neither an abrupt nor an unnecessary transition to add something with respect to his subject. I shall not enter upon the question with regard to the supposed author, though I have lately heard them ascribed to one different from those whose names had been before *emblazoned* with the dead—I mean the late Lord Chatham. The conjecture receives much more support from internal evidence than from any direct proof that I have heard. Whoever the author was, he is to be detested, both from the motives and the manner of his publication; for however strongly I lean to the general spirit of freedom which runs through them, I am convinced that those principles are often, as well as in the present case, assumed only to serve the purposes of faction: the matter of concealment puts him in no better character than that of a nocturnal assassin. His attack upon some illustrious men of that day—his attack upon the most illustrious man of that day, perhaps of any day, your great relation, Lord Mansfield—will never be forgiven by posterity, and will only be forgotten amidst that reverence which has already begun to accumulate.

I am happy to hear your mother continues in health, and thank her for inquiring after me. I often think, I assure you, of the pleasant days I used to pass at Murrayfield, and often reflect with lively though indeed inadequate gratitude of the kindness I have received from your family. Tell Mrs Murray that this is the case; I am anxious she should know it: as she once treated me with kindness, which I construed into regard, I should anxiously wish to preserve the esteem of so respectable a parent of the friend whom I love most. Be so good as also to remember me to your sister. Every time I come to the end of one of our

letters, I feel just as if I were leaving your company. With the hopes, therefore, of soon meeting you again, let me for the present bid you farewell.'

In a letter to his father of 17th March, 1797, we find thus early developing themselves the germs of some of his subsequent political views: 'I am happy that you think the late apprehensions, with respect to public affairs, exceed what the occasion could justify; indeed the panic is now in a great measure worn off, I hope from no other cause than its being discovered to have been unfounded. Paper money still circulates without depreciation, and must be found in the meantime a great relief to the market, for many reasons, especially the enlargement of the bank discounts. All political reasonings point out the increase of paper currency as a most pernicious evil; but it is to be hoped that matters may yet go on well, provided it be used only as a temporary expedient.

I am entirely of your opinion as to the propriety of supporting the government of the country. Undoubtedly, within the few last years, violent attacks have been made upon the rights of the subject, but no one finds his comforts impaired, nor his property less secure; a circumstance which should make the constitution more estimable to us, showing that its spirit is such as to continue to be beneficial, even after its forms have been suspended. There are good grounds to expect that that suspension will be removed by parliament when the necessity, real or imaginary, disappears. But surely no doubt with respect to the existence of such necessity can make one hesitate a moment in declaring resistance to those who would subvert our government, whether that be attempted in the way of hostile invasion, or proceed from the temerity of wrong-headed, if not criminal innovators among ourselves. I know your anxiety, my dear father, with regard to the formation of my political notions. I am aware that it is of great consequence in the profession I am to follow, the daily business of which has a reference to politics, and one may even be called upon to take an active concern. When thinking upon this, I often look forward to a rule of conduct, which I hope no circumstances may ever induce me to abandon; and it is this—to connect myself with the exclusive interests of no political party whatever. A man's independence must be best preserved, and his duty to the public best performed, by attaching himself not to any set of political characters, but to that system of measures which he believes most conducive to the public welfare. It seems a reasonable duty at all times rather to lean towards the ruling ministers; for no administration can act with the energy that it ought, unless it can trust to the countenance of respectable people. But I have long since imbibed an opinion (which, whenever it occurs, I find more strongly impressed upon me) that

every form of government is to be valued in the proportion of its affinity to those principles of rational freedom which impose no further restraints than the common security makes necessary, and establish nothing that can operate as a check upon the exertions of worth and talents.

I have thus, my dear father, given you a sort of confession of faith, which the anxiety of your last letter seemed to call for, and because, independently of that consideration, I feel that my happiness in life will depend much on possessing such a confidence with you as is incompatible with any reserve. I have laid open my sentiments, that you may know them, and that I may have the advantage of correcting them by your experience. To a person less entitled than you to be acquainted with them, all this would have been a useless parade.'

In another letter to his father of 2d September, he concludes an account of a visit to the Duke of Marlborough's palace with the following observations:—'On the whole, Blenheim is certainly a noble monument of gratitude raised by the country to one who gave splendour to its reputation; and though we should feel more inclined to go along with that gratitude had its object been some illustrious improvement in the arts of peace, yet we cannot help falling in with the common sentiments of men in attributing a sort of superior lustre to military glory, which dazzles us in spite of ourselves, and induces us to forget (in defiance of reflection to the contrary) that it has been the scourge of the earth.'

On the 16th October Mr Hewlett, in answer to some inquiries from Mr Horner, senior, sent him an account of the progress of his young friend. After stating that 'he has certainly got rid of his Scottish accent and pronunciation, and acquired the English so completely as not to be distinguished from a native,' and that 'the only requisites in which he appears deficient are a clear and distinct enunciation, and a modulation of voice that should be easy, varied, and impressive, without stiffness or effort,' Mr Hewlett proceeds to say, 'As to his general knowledge, it is more varied and extensive than I ever knew a young man possess of the same age. The talents necessary to acquire this must consequently be of the first kind; and though I have no doubt but that your son would make a distinguished figure in any profession, and in almost every department of literature, yet I think him particularly adapted to the study of the law. The basis of all excellence—strong natural good sense—he possesses in an eminent degree. To this he has added readiness, acuteness, and that degree of energy which, without being overbearing or presumptuous, is likely to give him consequence and superiority at the bar. Possessing such endowments, it must give you pleasure to know that he evinced all the patience, perseverance, and fortitude that are necessary for surmounting the greatest difficulties.

Were I to suggest a hint with respect to his future studies, it should be to guard him against desultory pursuits and disquisitions in science not immediately connected with his profession. The avenues of nearly all the sciences are open to him, and he is acquainted with the nature and the relative importance of the different kinds of truth. This is the grand object; and when a young man has accomplished it, his powers ought to be concentrated and directed to the particular profession which he has adopted.'

Soon after my brother's death, when a biographical memoir of him was in contemplation, I requested Mr Hewlett to furnish me with such details as he could then call to mind relating to the character, habits, and studies of his pupil while under his charge. He kindly complied with this request, and communicated to me the following particulars:—L. H.

'When Mr Francis Horner first came from Edinburgh he had much of a Scotch accent; and to correct this was a principal motive of his coming to Shacklewell. As he soon discovered uncommon diligence and attention, as well as very superior abilities, I thought the shortest and most effectual way of succeeding was to analyse the Scottish pronunciation, and to point out, rather *broadly*, the difference between that and the English. It soon appeared that the whole consisted in the sound of the vowels, if we except the peculiar rhythm, or drawling accent, at the close of sentences; and as a vowel must occur in every word, and indeed in every syllable that is uttered, by teaching him the correct sound of the vowels in all their varieties, he so effectually corrected his Scottish accent in six months, that no one would have supposed he was a native of North Britain.

His habits were very diligent, and those of a severe student; but he joined with great ardour in such diversions as amused his fellow-students. He was particularly fond of the game of "fives," or balls; and this I encouraged by sometimes playing with him in a party myself, because I thought it would serve to distend his chest (which was rather narrow), and give him strength. He was delighted also to accompany me (which he often did) to the river Lea, where we frequently took a boat and rowed ourselves about for an hour or two, having for a constant attendant a fine large Newfoundland dog called Caliban, who, by his gambols, docility, and exploits in the water, greatly contributed to our amusement.

As there was no occasion to doubt his diligence, or the correctness of his conduct, and as my house was rather crowded with pupils, Mr Horner's father, rather than not put him under my care, consented to take rooms for him in a small house adjoining; and as there was not any pupil whom I could class

with him, he pursued his studies alone, though under my particular directions in everything essential; and I used sometimes to go to him in the middle of the day, or in the afternoon, and sometimes he came to me. In reading the classics his judgment was so sound, that there was little danger of his mistaking a passage; and therefore my advice to him was, to read as much as he could, but to read it critically, and to understand it thoroughly. As I had not time to read *with him* one-tenth part of what he could prepare in the course of the day, I desired him to mark all such passages as were attended with any difficulty, and then, when we met, our whole attention was directed to them. By this economical management of time, he read a vast deal more than would have been practicable on any other plan.

He was a great, and at first an indiscriminate admirer of Hume's style, and was rather surprised to hear me say that, with all its excellencies, it abounded with Scotticisms and Gallicisms; but as I never met with a young man who showed more docility, or a greater degree of deference and affection for his preceptor, he was desirous of sitting down with me for the purpose of examining critically Hume's style. Accordingly we read a large portion of one volume; and he was so struck with the propriety and novelty of my observations, that he took notes of almost everything that passed on that occasion; and perhaps they are still to be found among his papers, with many other remains of his studies while at Shacklewell. Indeed it was his practice to make memoranda of everything new or important that was communicated to him. The characters of his mind were a retentive memory, a clear and sound judgment, not confined to narrow tracts of literature and science, but embracing large and extensive views of both; bringing also to its just decision the events of history, the characters of nations and individuals, and, above all, the passing occurrences of the day, which, it should be remembered, were at that period awful, momentous, and alarming. He showed great sagacity in detecting fallacy and discovering truth, and had in an eminent degree the power of arranging his ideas with logical precision.

[Perceiving that the natural tendency of his mind led to the exercise of reason, rather than to the indulgence of fancy—that he was particularly interested in discussing the merits of some specious theory, in exposing fallacies, and in forming legitimate inductions from any premises that were supposed to rest on the basis of truth—but finding also that, from imitation and habit, he had been led to think too highly of those metaphysical speculations which abound in terms to which we annex no distinct ideas, and which often require the admission of principles that are either unintelligible or incapable of proof—I recommended to his notice Euler's "Algebra," as affording an admirable exercise

of his reasoning powers, and as the best means of cultivating that talent for analysis, close investigation, and logical inference, which he possessed at an early period, and which he afterwards displayed in so eminent a degree. At the same time I was of opinion that to translate a part of that excellent work from the French into English, when he wished to vary his studies, would improve his knowledge of both languages, and be the best introduction for him to the mathematics.

He was soon delighted with this occasional employment, which seemed to supply his mind with food that was both solid and nutritious; and he generally produced, two or three times a week, as much as I could find time to revise and correct. In the course of the first twelvemonth he had translated so large a portion of the two volumes, that it was determined to complete the whole, and to publish it for the benefit of English students; but he returned to Scotland before the translation was ready for the press, and therefore the labour of finishing and editing it necessarily devolved on me.

I wished to give this short history of the translation at first; but he modestly, though at the same time resolutely, opposed it, saying that whatever merit or emolument might be attached to the work, it belonged to me. The same proposal was made to him on publishing the second edition, but he still persisted in his former determination.

From the pleasure and instruction which he received from Euler's "Algebra," it was natural for him to wish to know something more of the life and character of that profound mathematician. Having, therefore, in some measure satisfied his curiosity, and collected the necessary materials by consulting the ordinary sources of information, I advised him, by way of literary exercise, to draw up a biographical memoir on the subject. He readily complied with my wishes; and this may be considered as one of his earliest productions. Its merits would, in my opinion, do credit to any writer; and therefore, in appreciating them, the reader will not deem any apology necessary on account of the author's youth.] *

To have had some share in directing the studies, forming the judgment, and cultivating the taste of such a man as Francis Horner, at a very critical and interesting period, I shall always consider as one of the most gratifying circumstances of my life; and I may add, with great truth, that the pleasure of his society, and the cordiality of his friendship, were alone an ample compensation for all the time and labour I bestowed in superintending his studies and promoting his future welfare. He was never back-

* The paragraphs between brackets have been taken from the preface by Mr Hewlett to a new edition of the 'Algebra,' published some years after my brother's death.—L. H.

ward in showing his superior talents; but I never knew him on any occasion forward, presumptuous, or obtrusive. He gratified no contemptible vanity by making others feel their inferiority, nor indulged any triumph in argument for the sake of victory.

His sweetness of temper, and the engaging affability of his manners, not only prevented him from having any quarrel or serious difference with his fellow-pupils, but secured him the affection and good offices of all. In company he was cheerful, convivial, and entertaining; and on *one* occasion, and one only—that of the breaking-up supper—he used to sing a song, which, as his voice and ear were good, he executed in a very pleasing manner.

I never had occasion to enter into any serious remonstrance with him respecting his conduct but twice; and the result was a most ready, sincere, and affectionate compliance with my wishes and advice; though I am well assured that, on one of those occasions, his fortitude and sense of duty must have been put to the severest test.

My brother was now to enter upon the special course of study required for the profession he had chosen; and as, according to the usual custom, he would be called to the bar in little more than two years from this time, he appears to have felt the full importance of allowing no part of the interval to be passed unprofitably. The following fragment of a plan of study, drawn up in anticipation of his return home, shows the deliberation with which he had been accustomed to regulate his occupations; and although we afterwards find many confessions of frailty, and many self-reproaches for having wandered from the great road he had marked out for himself, the bypaths he deviated into were seldom those of idleness: he was generally led away from his professional studies by the pursuit of some object of literature or science, the attractions of which he had not firmness to resist. If this scheme partakes of the sanguine eagerness of youth, and is so vast as to be beyond the limits of that probability of accomplishment within which it would have been restricted in more mature years, it shows at least the ardour of his mind, the generous ambition with which he was inspired, and how early he had formed enlightened views respecting the profession of the law.—L. H.

‘PLAN OF MY FUTURE STUDIES.

SHACKLEWELL, *October 19, 1797.*—Being now on the eve of my return to Edinburgh, in order to enter seriously on the study of the Scotch law, at the same time that I have very much to do in the branches of general science, as well as in those of polite literature and erudition, it is proper for me, from this distance, to take a view of the prospect before me, that in the course of the journey

which I am about to take I may not find myself entirely ignorant of the best route, or at a loss with respect to the relative position of the different places.

It ought to be the main object of my ambition, and the point of tendency for all the thoughts, exertions, and labours of my life, to become a consummate lawyer, both in practice and in science. The former is to be acquired only in actual employment, and by the exercise of sensible and well-directed observation, when I myself shall be engaged in business. The latter—the knowledge of the theory of law—may surely be acquired to a very considerable degree in the time that I have; though indeed that is now so short, that none of it must be lost. It was a noble spirit in Cicero to wish and to resolve to advance to the Forum at first with the sure possession of surpassing learning and eloquence. In the two years that remain to me, I must perfect myself in the Latin and Greek classics; acquire an elegance and facility of English style both in writing and in speaking; make myself a proficient in the general principles of philosophy; and a complete master, if possible, of law as a science. This is the ground I have to go over, this is the height I must climb up to; without which I cannot pretend to be fit for my profession. Let me remember, however, that this, though a possible, is a great undertaking, and will require on my part that unremitted industry and attention without which no honour can ever be deserved, and no true honour ever acquired. Joined to regular and continued habits of industry, my studies must be prosecuted likewise in a systematic manner, on a plan previously laid down, at least sketched in its general outline. I have my own experience now to tell me, what I ought to have learnt from the precepts of others, that it is of the utmost importance to a student to limit the number of his books, and to resist with firmness every approach towards a habit of desultory reading. *It will be well for me to bear this in mind in the course of the ensuing winter.* I ought to confine myself to a selection of the best authors: read others certainly, but not till the best have been thoroughly perused and resolutely investigated. In Greek, for the present, I need only fix my thoughts on *Homer*, *Demosthenes*, *Xenophon*, and *Euripides*: Euripides, as a master in describing and imitating the human passions; Xenophon, for the sake of the philosophy and facts, as well as the composition; Demosthenes, as the greatest and most perfect model of eloquence for a British lawyer to study; and Homer, as the fountain and original, so far as the world can ever know, of all that is divine in invention or eloquent in composition; and to be farther studied, both as the historian of civil society at a particular stage of its progress, and as an admirable delineator of general manners and of the varieties of human character. In Latin, I may and must indulge myself in a greater range of authors; but still let those be only the best:

the best historians, *Livy, Tacitus, Cæsar, and Sallust*—the best poets, *Virgil, Horace, Ovid, Lucretius, and Tibullus*—should be regularly read and intensely studied over and over again; but the works of Cicero, one and all of them, I should have continually in my hand, and almost learn by heart. In the ensuing winter, as my study of languages must necessarily be abridged, let me at least read daily, without failure on any pretence, one hundred lines in the *Odyssey* of Homer, and apply one hour at least to the orations and rhetorical works of Cicero. If this be accomplished properly and in good earnest, I should be ready, at the close of the college term in April next, to go through all the authors, Greek and Latin, above enumerated.

In mathematical philosophy I have nothing to do with any attempts of my own at original investigation: I should be thoroughly acquainted with the history of pure mathematics, and comprehend, with scientific distinctness of arrangement, the metaphysic-rationale, or logic of analysis, both geometrical and algebraic. In the mixed mathematics, and the other branches of physics, including chemistry, botany, and natural history, I am to read the book of nature, and should be familiarly acquainted with all the laws of the material world hitherto discovered, and likewise with the most striking experiments and simplest reasonings by which they have been ascertained, illustrated, or explained.

As for metaphysics, it is only on a complete and scientific knowledge of the principles of human nature, and the theory of morals, that the path is laid towards the elements of legislative science: and it is from the stores of practical morality, accumulated as they have been by the sages of ancient and modern times, that the practical lawyer, who aims at eloquence in his pleadings, should seek those simple and direct appeals to the understanding and to the heart which are at once the most commendable and the most effectual persuasives.

But next to the immediate study of the civil, municipal, and statute laws themselves, my great object of acquisition must be the general science of politics, legislation, and jurisprudence, as systematised by reasonings and illustrated by history. I shall not enter at present into a discussion of the plan on which this study should be prosecuted, but concluding for the present these general observations, shall apply them to the particular course of six months' study which I am just about to commence.

Law being now my great and ultimate object of application, that to which all other studies must have a subservient reference, I begin with considering it first. In this ensuing winter I am to attend the class for the institutes; those institutes, therefore, I must make myself complete master of before the end of the session. For this purpose I must study both Heineccius and Vinnius; and it seems to me that it would be better to go on with both at

the same time, thereby prosecuting my reading in the order of the titles or subjects. My progress in the institutes and in the commentaries will depend on the progress of the lecture, but it will be absolutely necessary to comprehend fully and thoroughly everything as I go on; nor need I do otherwise, when my friends Murray, Brougham, &c. have gone over the course before me, and will be able to afford me every assistance. It will be proper to have a law commonplace book, divided according to the titles of the institutes, for the purpose of preserving whatever remarks or criticisms, queries, *quaerenda*, &c. may occur to me in the course of study; and it would be an excellent, as it is a necessary exercise, to get into the habit of throwing out such notes in Latin. Besides what I read of the institutes and the commentaries, I must daily make some progress in the knowledge of Roman antiquities, as compiled by Heineccius and Adam; and of Roman law history, as composed by Gravina. I must likewise endeavour, in the course of the winter, to get through Montesquieu and Smith. If I can procure a good translation, either in Latin or in French, of the antiquities of Rome by *Dionysius Halicarnassus*, it would be an excellent companion to the rest; but let it be carefully and faithfully remembered by me, that these books are not to be read merely, but studied, and *that* in regular succession; my progress in law, as well as my general criticisms on manners, &c. being duly registered every day in my journal of reading.

It will be proper to compose all my essays and disquisitions for literary societies on subjects of general law and politics. In the composition of each, I should aim at an accuracy and extent of research, a plain, neat, elegant, flowing, didactic style as to the language, and pay particular attention to the beauties of method and arrangement.

Let me here attempt a sketch of what ought to be the professional knowledge of a lawyer. His main object is to be acquainted thoroughly with the institutions and laws of his country, as his business is to interpret them for the use of others, and to be the organ of that right which law confers on individuals, of directing the executive power in matters of private concern. This being the case, he ought to beware of being misled by a philosophical turn of mind into too great a fondness for theoretical discussion. This I do not say, however, as if I supposed it at all necessary to limit or confine the study of law as a science, but only that study may be put under proper regulations. A lawyer ought undoubtedly to be acquainted, and thoroughly acquainted, with what law *ought* to be, according to the natural principles of equity and freedom, but his practical business is to know what law *is* in his own particular country. It is from a confused notion, or a total ignorance of this just distinction, that some lawyers have wasted

their talents and their time on mere theory and general speculation, while others drudge on, the mechanical creatures of mere erudition and memory, without entering farther into the spirit of legislative history than the chronology of dates, and unable to give any other reason for the existence ?

(*The rest of this paper was not found.*)

His return to Edinburgh he thus describes in a letter to Mr Howlett of 2d November, 1797:—‘I should have given you intelligence of my arrival sooner than this, but was not able to procure a frank. I got home sound and safe on Monday morning, after a journey that was tolerably agreeable, notwithstanding a sharp frost on the two last nights, and companions who were rather stupid during the day, and more than drowsy through the night. I spent one day at York, where, though on the whole a dull town, I was much gratified with the minster, a very beautiful and noble pile; and with the castle, the county jail, which is so airy and well situated, and the prisoners so comfortably accommodated, that should I ever be laid in limbo, I should long to be quartered there—

“*Nescia mens hominis fati sortisque futura.*”

After having mentioned York Castle with such a comment, I was not at liberty to conclude it without *critical* authority. * * *

The business at college is not seriously entered upon: beside the civil law lectures, which have not yet opened, I propose to go through a course of chemistry and natural philosophy; on the former subject I have just begun the elementary treatise of your friend Nicholson, which is recommended by Dr Black. Unfortunately for me, that great man has finally resigned his academical chair, and the university has sustained a loss which cannot soon be replaced. In about a fortnight I shall be completely engaged, and have a prospect of passing the winter in full employment. I shall from time to time do myself the pleasure of troubling you with letters; and I please myself with the expectation of having my labours in Justinian, Newton, and Lavoisier agreeably relieved by your communications. Remember me to all round the fireside at Shacklewell; and believe me, &c.

Soon after his return to Edinburgh, Mr Horner became a member of the Speculative Society; an association formed in 1764 by students of the university for the discussion, by written essays and debates, of questions on history, politics, legislation, and general literature. It meets, under the sanction of the *Senatus Academicus*, in a hall appropriated to it in the uni-

* From Virgil's ‘*Æneid*’—

Oh mortals, blind to fate.—DRYDEN.

versity buildings, and holds its sittings once a week, in the evening, during the winter session—that is, from November to May. Many of the most distinguished men who have been educated at Edinburgh have belonged to it; and many of the members who reside there continue to attend the meetings, and to take an interest in the proceedings of the society, long after they have ceased to be students.

On the 14th of November 1797, at an ordinary meeting, petitions for admission as members were presented from Francis Horner and Henry Brougham; and on the 21st of the same month they were admitted. Mr Horner took a great interest in the society, and soon became a leading member in all the literary business. He was so regular in his attendance, that for three years, as appears by the minute book, he was only absent from three meetings, and during the two last of these years he was one of the presidents.*—L. H.

CHAPTER III.

AGE, 20-22.—1797-1799.

Commencement of Journal—Idea of Qualifications for the Bar—Professional and General Studies—Early Intimacy with Brougham—Rise of his Political Opinions—Lord Webb Seymour—Plans of Mutual Improvement—Journal of Studies—Occupations and Remarks—Law, Science, Politics, and Composition—John Allen—Rev. Sydney Smith—Debates at the Speculative—Duke of Somerset and a Philological Society—Chemistry.

Being now settled at home, and living in the society of his most intimate friends, he had seldom occasion to correspond with them for a considerable time. The absence of letters is in some degree made up by a Journal of his reading, which he began to keep in the spring of 1798; and although it is not carried on very regularly, it is sufficiently so to enable us, with the help of occasional correspondence, to trace his course of

* 'The Society is not to be viewed as a temporary club, but an academical institution of permanent establishment: an institution not only felt by those who now address you as affording means of improvement that we cannot elsewhere command, but acknowledged by those of our predecessors, whom we most aspire to emulate, as having contributed much to their own attainments in literature and in eloquence.'—*Extract from an Address to the Members of the Society, dated 26th February, 1799, and signed—*

WILLIAM FULLARTON,	} <i>Presidents.</i>
HENRY BROUGHAM,	
FRANCIS HORNER,	
CHARLES KINNAIRD,	

life and the development of his character and opinions during a period of nearly five years.—L. H.

JOURNAL. 'May 1.—This morning I began a course of French with M. Deville. I have already acquired considerable facility in reading that language, but it is the mechanical facility of habit; I have never studied it grammatically, and I can neither speak nor write French. These I propose to attain in the course of the present summer. Among other exercises, I intend to make all my notes on French books in that language, as well as all the abstracts I may draw up of such.

I began the 44th chapter of Gibbon's history, which contains an abstract of Roman jurisprudence, and may therefore serve as an introduction to that course of civil law which I have laid out as the principal business for this summer. This chapter I hope to finish in three or four days after I have critically examined it, consulted the leading authorities, and made a short abstract. I next propose to study the small historical treatise of Arthur Duck, which, with Montesquieu's philosophical treatise on the Roman History, will qualify me sufficiently for proceeding to the study of the "Institutes of Justinian."

May 3.—Continued the perusal of Gibbon's 44th chapter, but read only three pages; for the plausibility of his conjecture with respect to the origin of the expression *res mancipi* led me into a minute examination of it, and the whole morning stole away in ransacking Heineccius and Brissonius, and then writing out the result of my inquiries. I feel ideas accumulating for the composition of a history of Roman law and government, on the plan of Bailly's "History of Astronomy."

Examined with critical attention a paragraph in Chesterfield's 142d letter, and practised the exercise recommended by Blair, of transcribing from memory. The main purpose of this is, to make myself intimately acquainted with the pure idioms of English, and, if possible, to acquire a habit of that easy polite turn of expression which throws such a charm over conversation as well as composition. But it will likewise, I hope, be attended with the subordinate effects of strengthening both my memory and attention. I have hitherto been in the practice of noting down such expressions and idioms as pleased me; but this I am now persuaded overloads, perplexes, and enfeebles the powers of remembrance.

Translated four maxims out of Rochefoucault.

May 4.—Read to the end of Gibbon's 44th chapter. To-morrow I propose to begin a second perusal, and draw up an abstract. Read over, but in a hasty manner, and rather as an exercise in French, the first book of the Memoirs of Cardinal de Retz: to-morrow I must revise it with minute care.

May 5.—Reviewed the first or historical part of Gibbon's 44th

chapter. It contains a very tolerable deduction of the progress of Roman legislation, interspersed with some excellent remarks. The account of the succession of civilians is handled in a very finished and interesting manner. But the whole is corrupted by the *dulcia vitia* [agreeable vices] of his style; and for the sake of telling his story in a round-about way, he leaves it a perplexing problem to his readers to discover from his text alone (p. 354) that the Sabinians were the followers of Capito, and the Proculians of Labeo.*

May 7.—After a day spent in agreeable idleness with my friend Murray, who is about to set off for London, I returned to my studies, and began *Duck*, “*De Usu et Auctoritate*,” &c. A miracle indeed! that this small 12mo. should be the offspring of forty years’ study of civil law, and of all the commentators diligently perused. Read only the two first chapters of the first book, got no information from them whatever, and exhausted my disgust in a criticism upon both.—See my *Notes*.’

On the 25th June he says in a letter to Mr Murray: ‘Since you went away, I have not done much in the way of study—a little civil law, a little chemistry, and a little of something else, for which I have not a distinct name, being a mixture of *belles lettres* and *connaissance du monde*, extracted from Chesterfield, De Retz, and Condillac. The weather has for a long time been uncommonly fine, not at all favourable to poring or prosing at home. I am at last in the ranks,† and am kept now to close attendance, as our noble and valiant major has even threatened his resignation unless the corps improves in that particular.’

JOURNAL. ‘July 6.—I have lately been attending some important pleadings before our Court of Session on what is called the *Bargeny Cause*; not so much from any interest in the legal discussion, to which I cannot as yet pretend, as with a view to learn what style of oratory it ought to be my ambition to acquire. In order to be a barrister of *any* eminence, I can perceive that two requisites are indispensable: in the first place, an accurate and comprehensive acquaintance with all the points of law which, in the discussion of any cause, may be brought into the argument; and secondly, the talent of detailing the narrative and arguments of a speech in that distinct order which most properly belongs to them, so that every hearer may not only be enabled to follow them as the speaker goes along, but likewise to preserve a clear recollection of the arrangement of all that has preceded. These two points, I apprehend, are absolutely essential to success in pleading at the bar. With respect to the former, I conceive that a knowledge of the doctrines and decisions of law from memory alone, however copious and ready, will not be enough. They

* Quarto edition of 1788.

† The first regiment of Edinburgh Volunteer Infantry.

must be systematised in the head; the forcible and recognised principles of each doctrine, and the scientific history of each decision, so accurately and so clearly known, that each may be produced in proper perspicuous language as soon as wanted. And what is more, whenever these reasons and principles are introduced into the argument of any pleading, they should be made all to bear upon the point at issue, and contribute to render the whole arrangement more finished and more luminous. As for the second article—*method*—by far the most important as well as most difficult among the branches of rhetorical study, I shall not stop on it at present. I have often reflected on it; I have read many satisfactory observations in Cicero, Quintilian, and Condillac. But it still remains a desideratum in my education, and I am afraid it will be long ere I shall acquire the habit of realising, in the practice either of writing or speaking, the views I have got, and have still to get, on this subject.

A barrister ought to have all his knowledge and all his talents so ready, that he may, at a moment's warning, call them into service. This must prove of the first consequence. He should likewise form the habit of complete self-possession; a quality very different from that impudence which is the joke against all the profession, and justly reproached to too many; but I mean that command of temper in every respect which is necessary to keep command of the understanding. There are several embellishments which wonderfully set off pleadings at the bar—such as a happy introduction of hypothetical cases bearing an analogy to that at issue; a successful reference to polite anecdotes and histories; a powerful appeal (in the midst of a legal argument, and in support of it) to the passions of humanity, indignation, generosity, and honour, or to the emotions of ridicule and satire, according as circumstances demand. Such are the notions I have at present with respect to bar eloquence. I suspect they may be inaccurate; I know they are incomplete. But I cannot so well advance to others more complete and more accurate as by stating what I have distinctly to myself; and it will be amusing at least, perhaps profitable, should I carry on this journal of my mind, to trace through a series of years the gradual development of new ideas and successive correction of old.

I have lately been perusing the "*Lettres Persanes*" of Montesquieu, and am arrived this day at Letter CXII. I read this chiefly as one of those books from which I am to derive some knowledge of the manners of the world. As to composition, Montesquieu is not a favourite with me: he indulges too much in epigram and conceit. He is indeed a very profound thinker, and his writings abound with comprehensive views. But in consequence perhaps of this very genius for deep thought, all his writings appear to me like a string of maxims. There is no

skill in composition and arrangement. But though he might prove a very pernicious model of writing, he is one of the first masters in the great art of reflection; and his works, if studied with the proper temper of criticism, would teach the true spirit of observing on the manners and characters of the world at once with subtlety and sensibility; as indeed they would teach the true style of expressing such detached observations at once with precision and with beauty.

To the Journal of my studies I propose to add the history of my character and mind; an enterprise of some danger and much difficulty. Of all the danger into which I may fall, and of the difficulty which I shall have to encounter, the source is vanity and self-love. But it will be a trial of courage, and may prove an exercise of skill. It is said to be more difficult to dissect one's own character than to sift those of other people; should I, therefore, even be worsted in my present attempt, I may hope at least to be in the end less unqualified for the other. But I see no reason to fear any failure, if I can only have the fortitude to speak the truth to myself.

July 15.—Read the fifth book of Bailly's "Modern Astronomy," but did not study completely the mathematical details. It contains a very clear, and I suppose a very full account of Ptolemy's merits as an astronomer. He seems to have been in mathematics what Aristotle was in moral science and general literature. They equalled each other in the toil of research and in extent of knowledge. They were both, in their respective walks, men of very powerful imagination for the inventions of hypothesis. But not satisfied with this claim, they both undertook the great plan of systematising all the knowledge of their age; and by that means secured a similar fate, of establishing their own reputation on the oblivion of the many discoverers who had preceded them, and of teaching the rudiments of science to one generation after another. I wish M. Bailly had accounted for the total decay of astronomical genius from the time of Ptolemy: five hundred years elapsed before the invasion of the Arabs—five hundred years, it would appear, of political quiet; as there was no want of commentators on the works of Hipparchus and Ptolemy. In the few notes I have made on this chapter, I have taken notice of some faults and some beauties in the composition, as well as of some remarks which will furnish future reflections to myself.

After Bailly, I read, just before going to bed, the 295th letter of Chesterfield.* It is finished off in his best style of sarcastic and malicious irony; but I cannot yet believe, till I have seen this same 185th letter, that Fenelon deserves the satire of his lordship. I feel a sort of violence done to my feelings when I

* Tenth edition, 4 vols. 12mo. London: Dodsley, 1792.

see the amiable and enlightened author of *Telemachus* exhibited in such a ridiculous and contemptible point of view. It is true, however, that this high idea of his character has formed itself in my mind on no better proof that I can remember than the sentimental purity of his literary professions. This letter has suggested several idioms to me.

August 17.—Read, but can scarcely say I studied, Bailly from p. 30 to p. 64. In the course of this day I have enjoyed a good deal of profitable conversation with my friend Brougham, whose studies are at present political, and whose conversation always affords me improvement.

Read in the afternoon some of Turgot's "*Reflections on the Formation and Distribution of Wealth*;" a work which appears to have been truly denominated by Condorcet the germ of Adam Smith's *Inquiry*. It is a series of propositions, enunciated and proved. What a difficult matter it is to treasure up processes of reasoning in the memory! I should think geometrical studies the best calculated to form this habit in the mind. I find my memory much better adapted for the remembrance of facts, but not insulated facts, than for the possession of systematic arrangements and argumentative deductions: I must labour to improve it. Perhaps one of the best exercises is to get into the practice of frequently running over the detail of such arguments or experiments as I have been reading of.

The following passages occur in a letter to Mr Hewlett of the same date:—"I understand from my friend Mr Murray, who is at present in London, that he and Mr Brougham had the pleasure of meeting with you at the Foundling. They were much gratified by your politeness to them, for which you will permit me to thank you, as a kindness done to myself. Had you any conversation with Brougham? He is an uncommon genius, of a *composite order*, if you allow me to use the expression: he unites the greatest ardour for general information in every branch of knowledge, and what is more remarkable, activity in the business, and interest in the pleasures of the world, with all the powers of a mathematical intellect. Did you notice his physiognomy? I am curious to know your observations on it. * * *

I have not remitted my application to the study of composition. Not having the opportunity of oral precepts, such as I once enjoyed, I am obliged to have recourse to didactic writers expressly on the subject. The best I have yet found is Condillac, in his "*Traité sur l'Art d'Ecrire*." Being also deprived of the advantages of idiomatic conversation—for in this part of the world not a mouth opens but some barbarism or other finds its way out—I apply to the perusal of your best writers. The letters of Chesterfield are what I use at present for idioms, and the political works of Bolingbroke for the artifices of composition.

Will you add your instructions? I should find them of essential service. I make no doubt you already detect in the twang of my letters the old leaven of Scottish corruption.*

JOURNAL. 'November 13.—I have omitted keeping any journal through this long period,* which, though not remarkably busy, has not been by any means idle. My only study has been English history, particularly the history of law, government, and manners. I have studied Hume as far as the reign of Henry VII., and Millar to the end of his History of Parliament. This day the winter session commences; and, except an hour at Stewart's class of moral philosophy, I shall devote my whole time to law and the business of the Speculative Society. In the morning, till twelve o'clock, I shall read civil law, and prepare for my trials; from twelve till two I shall be at college; from two, I write out my notes from Hume's lectures, and study Scots law; and then give the rest of the day to history, politics, and the business of the Speculative.

February 5.—This evening I finished a paper, the composition of which has occupied me nearly a week, "On the Opposition Party in Parliament."†

I have so long omitted my journal, in a great measure from indolence; in fact I have gone on this winter in my old silly way, setting out with most magnificent resolutions, and scarcely doing anything at all. The greatest labour I have been at this winter has been the writing of notes from Hume's‡ Lectures, of which I have got above 200 folio pages, but have lately done nothing even in that way. I have studied nothing of civil law, and I have now had the books two years, without taking any *unfruct* of them: I ought to have passed my first trials long since. I mean to set seriously about it now, proposing to pass them in May.

February 11.—I daily find it more necessary to be anxious about the formation and expression of my political opinions. In such times as the present, there is some merit in setting about it in a manly and open manner. On the one hand, the majority of the country runs strongly and implicitly in favour of a minister who has made the greatest inroads on the constitution; on the other, there is a set of people who, undoubtedly some from wicked and ambitious, others from honest views, pant after a new and republican order of things. Between these two fires there is

* Since the 6th of October.

† What became of this and other essays will be seen by the following entry in the *Journal* on the 16th of March 1800:—"This morning a bundle of my own works fell into my hands—"Essays on Imagination," "The Dramatic Unities," "The Marvellous," "Imitation," "National Character," "The Opposition Party in Parliament," &c.—the offspring of former labours, the nurslings of former self-applause: but I was so mortified with them, that I committed them without mercy to the flames."

‡ Nephew of the philosopher, and professor of Scots Law in the university of Edinburgh.

some courage in pleading the cause of our neglected constitution ; it must of course be a most unpopular engagement, but there is so much the more satisfaction to one's self in maintaining a firm post against such variety of assailants.

February 19.—Have been doing a little in the way of civil law, reading the twentieth book of the Pandects on the subject of Pledge and Hypotheque. I find the most advantageous mode of studying law is to have an eye to the reasons, historical or philosophical, of every positive enactment; to analyse what Montesquieu properly called *l'esprit des loix*; to keep in mind the maxim of Celsus the civilian—"SCIRE LEGES, non est, verba earum tenere, sed vim ac potestatem"—["To be acquainted with the laws, is not to know merely the words in which they are expressed, but their strength and scope"]: independent of the interest which this mode of investigation imparts to a subject, which is often represented by those, I imagine, who had not tried such a plan, as meagre and dry; independent also of the scientific dress with which it clothes what would otherwise be a mass of unrelated particulars, to be comprehended only by the mechanical drudgery of memory; independent of all this, I find that the philosophical manner of studying the subject puts me in possession of a sort of instrument of artificial memory, without which I could not so easily make myself master of the details of law. As the regular pursuit of every point up to its original in history or in philosophical reasons would lead me too far from my immediate object, I shall take such notes as may supply me with topics of future research.

I have entered on a plan with Lord Webb Seymour* of discussing with him, after Stewart's lecture, the different arguments or topics which it comprehended. We have done so for three or four days; his regularity will perhaps insure mine. This scheme prevents me from attending the Scots law; but the truth is, I have in a great measure given that up for this winter; the civil law is quite enough. By the plan of conversation with Lord Webb, I shall perhaps acquire some new views, and at least familiarise old notions on the interesting topics of moral philosophy; I shall have a daily lesson and exercise in what I have so long found my deficiency—the practice of argumentative discussion. I have hardly yet ascertained his character, but he seems possessed in a considerable degree of that acuteness which arises not from constitutional ingenuity and liveliness of fancy, but from habits of persevering attention.

February 21.—I am going on in the plan of conversation with

* Brother of the present Duke of Somerset. Soon after leaving Oxford he came to Edinburgh; and his attention being particularly directed to mathematics and physical science, especially geology, he lived much with Mr Playfair and Sir James Hall. He was also intimate with Mr Dugald Stewart and Mr Henry Mackenzie, as well as with many of the younger men of distinguished talent in Edinburgh at that time.—L. H.

Lord Webb, and am willing to believe that I have already acquired a little more *habileté* in argument. It is not an argumentative *mania* that I wish to form, but to avoid that unfortunate habit, at the same time that I acquire some practical skill in the exercise of the reasoning faculty. I find that undivided attention, and a skill in stating propositions to myself in clear and precise language, form the great constituents of that faculty.

I have also dabbled a little in the Pandects, and finished this morning the subject of "Pledge."

Lord Webb Seymour entered into his twenty-sixth year yesterday. I am not sure that his genius is of a high order, but he possesses several of the most essential constituents to the character of a true philosopher—an ardent passion for knowledge and improvement, with apparently as few preconceived prejudices as most people can have. A habit of study intense almost to plodding—a mild, timid, reserved disposition with respect to the communication of such sentiments as he feels to be contrary to public prejudices. On this last head, in giving me a hint that he requested and expected confidential secrecy, he made an observation the truth of which struck me forcibly, from what I am conscious of with regard to my own character—namely, that those who are most forward and bold in proclaiming their own paradoxes, are least to be trusted in the deposit of such of our opinions as we are inclined to make known only to private friends.

There is a style of behaviour with which I am not at all acquainted, but which I should aim at, as an invaluable possession, by which it is possible to keep certain sentiments within one's own breast, or at least within the circle of a few friends, and at the same time fall into no corrupt hypocrisy or unmanly acquiescence in the opinions of whatever company we may happen to meet.

April 10.—Read a little Spanish, the novel of "Impertinent Curiosity," in the second volume of Don Quixote. In learning this language, I follow a plan recommended, I think, by Gibbon, endeavouring to acquire a readiness of translation before taking up the grammar. I was tempted a few days ago to undertake this language from the simple motive of wishing to read Campomanes.

Read half the first canto of Delille's "Jardins." This as an exercise of taste in composition: the precepts of Delille to the gardener admit of an easy application to the subject of style; and his own manner furnishes a continual commentary of examples and illustration.

On the subject of population, which I am considering at present with a view to a paper for the Academy,* I read Filangieri, and

* The Academy of Physics—instituted by Brougham in 1796, for the promotion of physical science.

one of Kames's sketches. Hitherto I have learnt nothing but to doubt of the general principles which are laid down as certain. I doubt that number is in itself a direct object of legislative solicitude; I suspect the proposition, that a people will always people up to its resources, to be contrary to fact; and even the fundamental idea, the connection between population and subsistence, though I can hardly entertain a question of its truth, is in neither of these authors explained in that clear, simple, or direct manner which insures conviction. I have not for a long time met with a more eloquent passage than the description in Filangieri, pp. 69 and 70, of the exaction of taxes. The conclusion shows true genius in the selection of circumstances:—"Il letto sul quale essa aveva pochi giorni dietro dato un cittadino allo stato, quella rovida veste colla quale essa cercava di nascondere la sua miseria nel giorno destinato ad assistere alla mensa del Signore," &c.*

April 21. Begun a course of civil law, with the serious purpose of passing my trials in the course of two months. I may well be ashamed when I recollect how long I have had the books upon civil law, and therefore professed to study it, without having ever set about it, except by fits now and then, such as cannot possibly leave any impression. In these two months I can expect to do nothing more than get such a general and superficial knowledge as will qualify me for passing the very light examination to which we are here subjected; even this, however, will demand pretty hard, at least regular work.

April 22. I can now speak of the character of Lord Webb Reynour with greater certainty. Bating the article of inventive genius, he is formed in every respect to be a true philosopher. Passionate in the pursuit of knowledge, he has the inestimable art of keeping a rein over his curiosity, by limiting his investigations to one object at a time, and by proceeding in all his inquiries with the utmost caution and patience. I never knew a person read so slowly, and with such circumspection: perhaps he may even carry this to an extreme, so diffident is he of his having got possession of a subject till he has turned it about in every point of view. He can subject himself to general rules, which perhaps he carries too far in matters of diet, &c. He will be an active student all his life, if his whole character and habits do not alter; and he studies with such judgment, that I question whether a day passes in which he has not made some intellectual improvement. His actual acquisitions are considerable: he is an accurate scholar, and has read most of the Greek classics; he is minutely skilled in chemistry, particularly mineralogy, and also in botany. He is at present engaged, and that zealously, in the study of

*She was given a citizen to the state—the
• bids her misery on the day destined for

mathematics. But the knowledge which I most admire in him, as that indeed in which I am myself most miserably deficient, is the knowledge of character, in which he quite astonishes me sometimes; his skill in this way is heightened by a considerable proficiency in the science of physiognomy. I have made several experiments of proposing faces to him, the characters belonging to which I had been long intimately acquainted with, but of which he had no knowledge whatever; and his answers have at once given me a satisfactory proof that physiognomy has a foundation in scientific principles, and that his *habileté* in the application of those principles is very considerable.

April 23.—With a view to style, studied about thirty lines in Goldsmith's "Deserted Village," and read Gibbon's account of the abdication and retreat of Diocletian. This sort of exercise I hope will give me a store of elegant turns of expression so necessary to extempore speaking: there is nothing deserving the name of eloquence which is not always at command: I do not aim at the talent of making fine holiday speeches upon occasion. The most difficult part of style is the structure of sentences; and the structure of plain sentences, in which a proposition is enunciated or a narrative carried on, is much more difficult than that of periods. In this point I am perfectly untaught, nor do I well know how to set about learning it. As another exercise in style, I translated into English out of a "French Spectator;" I have taken the papers which are written from Sir Roger's house in the country, and do not mean to turn to the original till I have got through them.

April 25.—Began "Vie de M. Turgot," by Condorcet,* and read to p. 60. Interesting in the highest degree, though somewhat too much of a panegyric; a little of the cant of philanthropy; and the style, though extremely elegant, rather laboured and heavy. But it is a book from which I may depend on deriving much advantage if read well: the development of the views of such a man as Turgot not only tend to enlarge our own views, but cherish that emulation and that admiration of genius which are the great springs of intellectual improvement. I was much struck with the following observation:—

"Se comparer aux autres hommes pour s'enorgueillir de sa supériorité, lui paroissoit une foiblesse; comparer ses connoissances à l'étendue immense de la nature, lui sembloit une philosophie fausse et propre à produire une inaction dangereuse. C'étoit entre ses connoissances personnelles et celles qu'on peut avoir dans le siècle où l'on se trouve, qu'il croyoit qu'un homme raisonnable devoit établir cette comparaison, pour bien juger de l'étendue de ses propres lumières: et il n'est personne que cette comparaison ne doive encore rendre très modeste." †

* Berne, 1787. 8vo.

† To compare himself with other men, that he might vaunt himself on his

April 27.—Proceeded with Condorcet, p. 135 to 193. I have now got to his sketch of Turgot's Philosophical Opinions. Here the author seems more at his ease, at least I have felt more at mine. The former part I read very cursorily, though with considerable interest, because I did not find that the author entered sufficiently into detail, either of facts or reasonings, to excite me to investigation. But I have now found materials for reflection, and a single page in this part of the work occupies me as much as ten in the preceding. At the same time I must remark an instance of the effect of habit, and the bad effect of giving way to the practice of reading without *l'attention suivie*: the discussion into which the author enters (before coming to the sketch I have spoken of) with respect to the conversion of indirect taxes into one direct territorial tax, gave me some difficulties, and I passed it over as a reserve for the second perusal. So much for pretending to read well.

April 29.—Turned over the second volume of Gibbon's posthumous works,* which are extremely amusing; his journal of studies, while it raises our idea of his powers of application and stores of learning, communicates to the reader a sort of emulation, in which the ingredient of admiration far exceeds that of hope. I met with a remark at p. 320, in his criticism on Silius Italicus, which expresses what (in moments of self-examination and despondency) has frequently occurred to myself with respect to my own character:—"La plupart de ceux qui ont échoué dans la haute poésie avoient *l'esprit dur* et l'imagination déréglée. Comme malheureusement ils avoient aussi peu de goût que de talent, il leur étoit facile de prendre ces qualités pour la force, l'élévation et un génie créateur. Ces défauts y avoient du moins quelques rapports."† I am not vain enough ever to say to myself that I want either *goût* or *talent*; but I suspect that the chief particulars in this well-written remark are applicable to the character of my genius for invention. In composition, for example, energy and force is what I have always aimed at, and (while I was composing) thought I excelled in. On subsequent examination of these productions, I have often thought of the lion lashing himself into energy with his tail. Perhaps a plain,

superiority, appeared to him a weakness; to measure his knowledge with the vast extent of nature, seemed a false philosophy, calculated to lead to a dangerous supineness. It was between the amount of his knowledge, and that which one may acquire in the age in which he lives, that he believed a reasonable man should make any such comparison for estimating the extent of his own acquirements, and there is no one whom such a comparison should not render very modest.

* Quarto edition, 1796.

† The greater part of those who have failed in the higher walks of poetry had hard intellects and irregular imaginations. As, unfortunately, they had also no more taste than talent, it was easy for them to mistake these qualities for strength, grandeur, and creative genius, to which such defects have at least some analogy.

correct, perspicuous style, moderately ornamented, is all I am entitled to aim at if I consult my powers; and yet at present the want of these is the most glaring defect of my style.

April 30.—I read none of Condorcet this day, as I went to the Society* in the evening, where I was much entertained with a discussion between Brougham and Jeffrey on colonial establishments.

I have now closed the first year of my Journal, and should like to take a review of it: but I have no leisure at present. I shall therefore only remark in general, that but a small proportion of this twelvemonth has been employed in study, and that small portion by no means so well employed as it might have been. Instead of a regular plan, my reading has been extremely desultory; the consequence of which is, that instead of having got a firm footing on any part of the field of science, I have only a recollection of its form and appearance from having once been there; instead of having made any approaches towards a systematic possession of the knowledge that I have, it lies scattered through my memory in a mass of unarranged particulars.

When I look through this period, I cannot perceive that—except unsuccessful, because unprosecuted, attempts at a superficial knowledge of chemistry and mineralogy—I have made any new acquisitions even of undigested knowledge: but this I should have regretted less, had the time been laid out in confirming, correcting, and systematising the ideas I had before. One particular, however, I ought to notice here, because no traces of it that I recollect are to be found in the preceding Journal; during this period I have reflected more than I ever did on the necessity of arranging my knowledge, on the limits within which I should confine myself in the pursuit of science, and on the advantage of having certain definite objects in view. Shall I have more to say at the end of the next twelvemonth than what I have said now? How much might be done by persevering and well-directed application! How little do I possess the courage, the resolution, the intellectual energy on which that application depends!

May 1.—Read in Heineccius, lib. xix. tit. 2, on the consensual contracts of *location* and *emphyteusis* [hiring and lease]; tit. 3, 4, and 5, on innominate contracts and the actions arising from them. Then read the whole of lib. xxi. For me this may be reckoned good work, as it amounts to 24 pages; the titles of lib. xix. I analysed minutely.

Read the speech of Mr Addington the speaker on the Irish Union; a sensible and manly detail of the most obvious argu-

* The Speculative Society.

ments in favour of that measure, without any specimen of very enlightened or extensive views. I like, throughout this speech, that familiar acquaintance with the principles and language of the constitution which perhaps betrays the wig and the mace of St Stephen's chapel, but which at the same time awakens all my veneration (some of which may be prejudice) for the ancient Whig politics of England, which are at present so much out of fashion, being hated by both parties.

Read Condorcet, p. 205 to 231, and wrote a good many notes. For some time past I have found reading become daily more difficult, which I take to be a proof that I shall become in time a good reader—that is, able to read with all the powers of recollection, reflection, and judgment at command.

As my summer course of study commences this day, I shall here sketch the plan I should wish to pursue, and enumerate the objects I am solicitous to attain. I have already more than once experienced my inability to keep to such plans; but I am not the less satisfied of the great benefit that is to be derived from them if resolutely followed out. Have I not firmness to bind myself by a few rigid rules to allow no prospect of a new speculation, however inviting, to draw me aside from the route I had chalked out? I fear not: I shall try.

My different objects may be arranged under four heads—namely, Law, Physical Science, Political Philosophy, and English Composition.

1. I propose to give at least three hours every day to *law*—namely, from breakfast to one o'clock; after the month of August, for a reason that will immediately appear, I may add a fourth hour to this allowance. Till the end of June I shall be occupied with *civil law*. The four succeeding months will be free for *Scots law*, in the study of which my best plan will be to write out as much of Hume's lectures as I shall find convenient, to study the principles in those notes and in Erskine, confining myself for decisions to Kilkerran and Kames's first collection, which afford the best models (though models of a different kind) for Scots law ratiocination; and if I can accomplish all this, to read Craig "*De Feudis*."

2. In *physical science* I must restrict myself. I shall attend Allen's* lectures on the *Animal Economy*, in order to acquire some general notion of a subject on which I have at present no knowledge whatever. But that this may not encroach on my more necessary occupations, I vow never to meddle with the subject either in the way of completing my notes from his

* John Allen, M.D., born at Colinton, near Edinburgh, 1770; died 3d April, 1843; author of an '*Inquiry into the Rise and Growth of the Royal Prerogative*,' and of several pamphlets and articles in the *Edinburgh Review*. He was master of Dulwich College.

lectures, or reading books connected with the subject, except before breakfast. I have never been in the regular practice of rising early in the morning; so I hope that this new and interesting science may stimulate me to that healthy and valuable habit. The lectures are from one to two o'clock; and as regular exercise ought to accompany regular study, I shall have for this purpose the interval between two o'clock and dinner-time.

The course will be over in three months. I wish I could bring within these three months a perusal of Euclid's Elements, and of the first volume of Euler's Algebra; but they must not, by breaking in irregularly on my physiological studies, spoil my progress in both.

3. Next to law, *political philosophy, history, and natural jurisprudence* are to be my principal objects of pursuit. To these I shall give most of my evenings for six months to come. Two evenings in the week, indeed, must be subtracted—one for the meeting of the Academy, the other I mean to reserve for exercises in style; and I shall put them together, that the train of inquiry may be broken in upon as little as possible.

With respect to these studies, I am engaged, in the first place, by an essay on *Population* for the Academy; this I wish to finish as soon as possible, in order that I may proceed to a regular and systematic study of political philosophy. I shall begin with reading most accurately and analysing Montesquieu's "*Spirit of Laws*;" this will probably suggest a variety of subjects for investigation, one or two of the most general of which I shall prosecute and write on. Nothing contributes so much as original composition to fix the principles of a science familiarly in one's mind. I shall study and analyse in the same manner the "*Wealth of Nations*;" to complete the study of which, it will be necessary to examine, in the best of their own writings, the system of the French Economists. After so much general inquiry, it would be right, in order to correct the habit of mind that may thereby be formed, to give a little time to the perusal of books of fact, such as a few of the most classical histories, and one or two of the most judicious travellers. Returning to the science, the last general branch is that of natural jurisprudence, where I shall have rather to think for myself than derive much light from books. I understand from Reddie that the best he has met with is a treatise by Cocceius, published in his edition of Grotius. This I shall read; and just as I have time, the work of Grotius himself. If I get through these three standard books, with their proper accompaniments, I ought to proceed to English history, and prosecute that study of the government and constitution in which I made some little progress towards the end of last summer.

4. With respect to *composition*, I wish I could allot more time to it than I have reserved. The single evening in the week will be laid out to best advantage in translation, or the studious and critical perusal of a few of the best English authors. When Allen's course expires, I shall have the hours before breakfast of the remaining three months to give to Cicero's "Orations," and perhaps I may add those of Demosthenes. I shall take an opportunity also, in such intervals as will sometimes occur in the prosecution of my political studies, to give an evening or two at a time to the composition of essays on popular topics of morals and criticism.

A vast plan this, exceeding, I suspect, my powers of execution. But I have never known yet what study is; I have never made a real effort of persevering resolution. How many blockheads of the commentator tribe have gone through ten times the labour in the space that I propose! Perhaps brains of such texture are the best fitted for toil. But it is not the fact: read the accounts that are handed down to us of the diligence of Demosthenes, Cicero, Hale, Boyle, Turgot, Jones, Gibbon, &c. not to mention the long series of illustrious mathematicians. The most probable inference I can draw (it is a desponding one for me, and therefore I shall not consider it as certain) is, that the middle order of talents is the least allied to that power of pertinacious application, which, when it consists in mere industry, loads our shelves with the lumber of learning; but by being joined to inventive genius, has unlocked the treasures of nature, ameliorated the constitution of society, and illuminated the prospects of the human race. This, I say, is the most probable conclusion. But, by way of self-encouragement, I will keep a more pleasing conjecture in view; that it is only for want of such application as might really be exerted, that we are confined to the middle or the lower orders of intellect; and that by the assiduous employment of the means of which we are possessed, it is possible to raise ourselves above the rank into which nature seems to have thrown us, and, though still remaining at an immense distance, to approximate those happier spirits on whom she has from the first bestowed the energies and inspiration of genius.

May 2.—Got up two hours before breakfast, and read some of "Bell's Anatomy" on the Mechanism of the Heart: this opened a scene of wonders to me. I consulted Allen what books I should previously read, to get a general knowledge of as much physiology as I shall need in order to follow his lectures.

Read Condorcet, "Vie de Turgot" from p. 231 to 258, the end upon the whole, I have derived much pleasure from this book and I think some instruction—that, however, not so much on the subject of political philosophy (for I met with little else than the assertion of opinions), as with respect to some more

enlarged notions that it has given me on the subject of intellectual improvement and discipline, especially as to systematising one's knowledge in the memory. The latter part of the volume I have read with great care, but I ran over the first half in so hasty a manner, that I am not entitled to think I have read the book till after another perusal. I found it in that part too long and too short; too short in each article of the detail, and too long from the number that are brought together. The second perusal I must defer till I come to study the system of the Economists.

June 25.—I have been for twelve days past on an excursion with Seymour to the Western Highlands, of which, in a separate book, I have kept a short journal.

June 26.—I resumed my attendance on Allen. This afternoon I went over Salisbury Crags with Seymour and Mr Playfair, who explained to me the geological arrangement of the rock. Am I, in the fulness of time, to become a convert to the Huttonian heresy!—at present, perhaps, *exitiabilis superstitio* [pernicious superstition] as Tacitus calls Christianity.

July 1.—The present month I mean to give up strictly to mineralogy and Allen's lectures. This morning I went over part of Davy's book with Seymour; I must finish the analysis of it myself, as he leaves town immediately. In the evening I was present at the Royal Society, and heard Playfair read the first part of his analysis of Hutton's Theory; a very distinct and luminous deduction of a powerful train of arguments as ever was given in favour of a mere hypothesis.

July 2.—Except the hour employed at Allen's on the interesting subject of animal temperature, the studies of this day were confined to mineralogy. As yet, I can only enjoy the drudgery of learning names, the vocables of a nomenclature in which there seems to be little arrangement and no philosophy. Not having the advantage of a cabinet, I must drudge through books, and add the little I can do for myself in the way of fossilising. The book I chiefly make use of is Saussure, as by far the most interesting I have met with; but as mineralogy has made great advances since the publication of the first volumes, and changes have especially taken place in the nomenclature, I compare his descriptions with those of Kirwan. As my object is geology, I am not sure but external characters (in the first place, at any rate) ought to be more attended to than the results of chemical analysis. I strolled for two hours this forenoon about the basaltic columns at Arthur Seat, armed, as if already an adept, with a hammer.

If I ever accomplish any scientific work, it will probably be in that line to which I have looked forward for several years—namely, general views of philosophical logic. Previous to

any attempt at execution, I must go through the circle of physical, mathematical, and metaphysical sciences. Do I flatter myself with the least approximation to success? This I fear, that presumptuous as I may be in thinking to get a prospect of the whole land of science, I shall most likely be nothing but a superficial fellow as to my knowledge of any part of it: I may see the land of self-promise, but most likely shall die, like Moses, at a distance. At anyrate let but one science be studied at a time; and always, in each investigation, let me have general principles in view. What would I give for the systematising head which Condorcet ascribes to Turgot, and which every one acquainted with the history of philosophy ascribes to Bacon! Why have I discernment to perceive that the "Opus Magnum" should be written anew every century perhaps, and yet want genius to execute the undertaking myself?

July 8.—I can say very little for myself during the last week—much dissipation of time, and of course no study to any good purpose. When shall I learn that, without regular habits, I can never make any substantial acquirements, nor advance in that scheme of forming a system of general principles which is so much an object of my ambition? To unite the business of a Scotch lawyer with an ardent and steady pursuit of science, as well as the cultivation of taste, especially in composition—a formidable problem! "*Magnis tamen excidam ausis.*"*

My chief defect in the article of study is the want of what the French call "*l'attention suivie*," and this want proceeds, I am convinced, from my habits of irregularity with respect to time. When I am confined to the house—as I was from the 21st of April to the 14th of May—I can prosecute a regular course of inquiry without deviation; but when I study one day, and gad about the next, as is my common practice, there is no chance for any subject exciting a commanding interest; and the warm resolutions of one hour, having taken no firm root in the mind, are easily given up for the novelties of the next, which, in their turn, are soon sacrificed to the first "light gay meteor" that appears on the ever-varying horizon of my rambles. It is not thus that excellence is ever attained; but it is thus that one infallibly gets that flimsy superficiality of apparent knowledge which conceals from the ignorant alone the real deficiencies. I am conscious of being superficial: I can hardly suppose that I am not quite seen through; but I am conscious of powers to become something better than I am at present.

August 28.—Translated into English eight maxims of Rochefoucault, beginning with the 85th; and translated six back into French, from the 7th: very clumsy at both. As a preparation for

* "Yet I shall fall greatly daring." Altered from Ovid, "*Magnis excidit ausis*," applied to the fate of Phaeton.

French composition, I rather think it will be necessary to transcribe for some time; I began to write over the seventh book in the second volume of Bailly's "History of Modern Astronomy." I do not lay the book exactly before me, which would make the exercise nothing at all, but at some distance, in order that I may carry a whole sentence in my head at once, and write it down as it were by rote.

In the afternoon I employed my thoughts on the best plan of studying history—ran over Bolingbroke on this subject. As I am about to enter on a course of historical and political reading, and am ambitious of studying those important subjects, not in an irregular miscellaneous manner, but with an attention to general principles, and a serious attempt to systematise the knowledge which I may be able to amass, it is of some importance, as conducive to that end, to form a distinct view of the objects I mean to pursue. At present, I am sensible it would be no easy matter for me to state to my own mind a distinct conception of those objects; but by endeavouring to arrange such floating ideas as are already in my head, it will be more easy for me to correct and to expand those ideas as I make some progress in my investigations. Before I enter, therefore, upon these inquiries, I shall endeavour to form as accurate a notion as I am fit to form of the proper objects of history, of the best mode of studying it, and of the manner in which it should be combined with the elements of political philosophy, in order that each may throw light and strength on the other. * * *

The plan I propose for the occupation of the ensuing two months is, all the morning to study history and politics, and in the afternoon rhetoric and composition. I shall begin with Smith's "Wealth of Nations," next Voltaire's "Histoire Générale," and then "L'Esprit des Loix." My studies in rhetoric should consist chiefly of actual composition, and an attentive study of a few of only the best models.

October 29.—My two English friends, the Rev. Sidney Smith and Lord Webb Seymour, are again come to Edinburgh for the winter; and I promise myself much pleasure and much instruction from their conversation. I shall perhaps improve my powers of argumentative dexterity, which are still very low; and at anyrate I cannot but learn candour, liberality, and a thirst for accurate opinions and general information from men who possess in so remarkable a degree these valuable dispositions.

November 1.—Read a little of Millar on Government, in the chapter on the alterations in the courts of justice during the reign of Edward I. Much of the information new to me with respect to the distribution of the English courts; made an acquisition of two general principles, which I think accurate—namely, the constant progress of the line of distinction between equity and strict

law, and the historical origin of the distinction between civil and criminal law. I am not at all satisfied with Millar's account of the circumstances that prevented the Roman law from being so much incorporated with the jurisprudence of England as with that of other European countries: the jealousy which, at so early a period, was spread through England against the extension of ecclesiastical power, is a circumstance which he wholly overlooks, though it is sufficient perhaps to account for the fact.

Nov. 2.—I commenced the study of Scotch law, and read Erskine's chapter on Jurisdiction. Hume's class opens on the 15th instant, so that I have got a fortnight before him—a start which I should like to keep up in the way of reading, while I go along with him in the notes.

Nov. 3.—Read two chapters in Erskine's Institute on the Judges and Courts of Scotland.

I this day resumed with Seymour the investigation we attempted last spring into the nature of probable evidence; taking Hume's *Metaphysical Essays*, by no means as our text-book or creed, but as furnishing topics for our own reflections. Metaphysics I find a most improving exercise; fixing the powers of attention, and sharpening those of apprehension. Metaphysics and history, says Lord Bolingbroke in a very fine passage of his *Letters*, are the vantage grounds which a lawyer must seize, if he means to make a science of his profession.

Nov. 5.—Went through Erskine's title on Marriage, and read my notes from Hume on the Constitution of Marriage.

The difficulty of studying law consists in that of filling the memory with an infinite multitude of precepts that appear unconnected. Under each title I must strive to catch the general principles on which particular ordinances depend; being aware, at the same time, of the danger of an excessive simplification, or of arranging laws under a general principle, which cannot, but by an arbitrary fiction, be made to comprehend them. * * *

By studying law upon this plan of arranging it in my head under general principles, I shall secure the assistance of an artificial memory; I shall place myself in the path to become something more than he whom Cicero describes as a "*leguleius quidem cantus, et acutus præco actionum, cantor formularum, acceps syllabarum*"—"An astute pettifogger, acute in setting forth actions, a repeater of forms, a quibbler about syllables"]; and I shall probably preserve my mind in that proper tone and exercise which is necessary for the prosecution of scientific improvement. There is a passage in Stewart's "*Philosophy of the Human Mind*," which for some years past I have been unable to read without mingled emotions of ambition and despair:—"One great use of philosophy is, to give us an extensive command of particular truths, by furnishing us with general principles, under

which a number of such truths is comprehended. A person in whose mind casual associations of time and place make a lasting impression, has not the same inducements to philosophise with others who connect facts together chiefly by the relations of cause and effect, or of premises and conclusion. I have heard it observed that those men who have risen to the greatest eminence in the profession of law, have been in general such as had at first an aversion to the study. The reason probably is, that to a mind fond of general principles, every study must be at first disgusting which presents to it a chaos of facts apparently unconnected with each other. But this love of arrangement, if united with persevering industry, will at last conquer every difficulty; will introduce order into what seemed, on a superficial view, a mass of confusion; and reduce the dry and uninteresting detail of positive statutes into a system comparatively luminous and beautiful."—P. 469.*

Nov. 25.—My time is at present pretty uniformly employed, but as yet I have had no severe study. I go on as usual with my law notes, and augur well of my regularity.

At the Speculative Society I spoke twice this evening,† and both times without any premeditation. I feel a considerable command of language with regard to fluency, but very little command indeed with regard to selection. How is this judgment and taste to be acquired? Is there any other exercise beside composition? I mean to practise myself in replying; and I think it will be a good plan to confine myself at first to one antagonist—Copland, for instance—and to study most accurately his peculiar style of speaking, his habits of association both in point of illustration and argument, and the most successful plan of encountering him. Then I shall proceed to another, and sometimes venture to give a reply at once to both. The first thing essential to the faculty of making a successful reply is a strong and undivided attention to the speech which we propose to dissect.

December 3.—Lord Webb Seymour has communicated to me a plan, which his brother the duke has for some time past been attending to, of forming a Philological Society, ultimately with a view to the invention of a real character. Marsden, Layton, Boucher, and some other philologists, have already been spoken to. I this day read some letters which Seymour put into my hands, and which he has received from his brother, containing a development of his plan. The perusal of them exceeded the expectations I had conceived with respect to the metaphysical speculations of the duke; and he seems to have formed a pretty correct, as well as comprehensive idea of the object to be

* First volume, first edition, quarto, 1792.

† The subject of debate was, 'Ought the laws against treason to extend to the architecture of estates?'—L. H.

attended to in the composition of a real character. The project is a grand one; and though it may not, for a long course of time, be completely successful, much subordinate advantage may in the meantime result from the prosecution of it. It has awakened (why do I suffer myself to be distracted?) some of those speculations in which I indulged myself about five or six years ago on the subject of philosophical grammar; and I should like to prosecute some of the interesting topics which at that time I started to myself. The metaphysics of grammar, and the philosophical investigation of the intellectual instrumentality of language, are subjects which I shall keep floating within sight; in case a line of inquiry should present itself, I shall most probably attempt to follow it out.

In the evening I was at the Speculative Society; the question was, "Can knowledge be too much disseminated among the lower ranks of the people?" In pursuance of my plan, I laid myself out to reply to Copland, who made a speech abounding with information and ingenious argumentation on the affirmative side; I succeeded tolerably well in criticising his arguments. I mention in what I was satisfied, in order that I may distinguish more accurately in what respect I failed. In replying to Copland I forgot the main object of the question: all Copland's arguments tended to conclude that the diffusion of knowledge ought to be altogether shut up from the lower classes; whereas the question supposes the contrary of this, and demands whether there is not a maximum beyond which the diffusion ought not to be carried. After clearing away Copland's arguments, I ought to have come to this proposition, the proof of the negative of which would only turn upon an enforcement of the same principles, by which it is shown that the diffusion ought not to be altogether prevented. To prevent this in future, it may be a very good precaution always to consider the terms of the question after I have arranged my ideas and am preparing to speak, and to examine whether, in what I have arranged, I do not miss the real point to be determined. The other omission consisted in not enforcing more strongly and illustrating more clearly than I did, an idea which broke in upon me during the course of my argument, and which I fancy might admit of a successful prosecution—namely, that with respect to diffusion among the community at large, knowledge may be considered in the light of a commodity prepared by a separate profession, and consumed or enjoyed by the community as a luxury. I have only to remark another particular: I thought it prudent to take notes of Copland's arguments, and in speaking, I found it necessary to have frequent recourse to them. I must get the better of this, which is attended with a very awkward effect. I must try to invigorate my powers of attention, and by artifices of arrangement, to strengthen my recollec-

tion of details. With respect to language, I sometimes feel an absence of strong and eligible expressions, but I have attained a greater fluency than I ever expected. This, however, is the lowest attainment in the art. By the habitual study of the best writers, particularly the poets, I must store my imagination with the elegancies of expression, and acquire such a habit that my thoughts will naturally present themselves to me clothed in the most perspicuous and the purest language.

Dec. 8.—A day of metaphysical labour with Seymour. We again took up Robison, but read only one sentence of two lines and a-half, for we were immediately carried off into quite a different track. Our speculations related to the proper definition of *analogy*, and to an arrangement of the different species of argument and the different processes of reasoning which pass under the denomination of *analogical*. Should I ever succeed in my prospects of a work on the General Principles of Philosophical Investigation, I shall be much indebted to these exercises with Lord Webb, if not for principles ascertained, at least for the discipline to which I am inured.

Dec. 13.—This day being appointed for the funeral of the great Black * (whose death a few days ago was such as may be considered the true recompense of a philosophical life), and there being consequently no business at college, I employed myself in drawing up my paper on Disposing Affinity, which I read at the Academy in the evening.

Dec. 31.—Since the 20th I have been very regularly employed. I have got on wonderfully with my law notes, but have done very little as to real acquisition of knowledge, except dabbling a little in chemical papers. Yet I flatter myself that I am gradually creeping into a systematic disposition of my time, and more regular habits of application than I have for some time past been accustomed to. The greater part of the day I give exclusively to Scots law, hitherto with many exceptions no doubt; but such temptations I hope in time to get the better of. Chemistry I only read before breakfast; and as the days are now lengthening, I trust my measure of philosophical reading will receive a proportional augmentation. The evenings are given to general reading; I should wish to confine them to style, and the perusal of models of eloquence. I have been delighting myself with some of Cicero's Rhetorical Dissertations, which swell one's imagination and ambition towards the conception of that *aliquid immensum et infinitum* [something vast and infinite] which he paints with such enthusiasm. I wish to study upon general principles the plan of intellectual education, for every man must educate himself, as I am now beginning to be sensible. This

* Dr Joseph Black, professor of chemistry in the university of Edinburgh.—
L. H.

education consists in the formation of habits, for which two previous questions are necessary—the choice of the habits, and the mode after which they are to be acquired. In order to simplify this important task, I have confined my reflections at first to one habit alone—the arrangement of time: but as I have not yet matured my ideas on the subject, and as I am still farther from having reduced any of these ideas into practice, I must defer taking any further notice of this at present. At the end of the year I should like to take a retrospect, and consider, as far as they may still be brought together, the improvements, or at least the changes of character which I have undergone. But I must refer this to the first vacant day.

I was more idle to-day, as to Scots law, than I have been for a fortnight past: an experiment in chemistry led me astray, *since that I am.*

In the evening I read the *Edge of Haller* in the “Memoirs of the French Academy,” written, I suppose, by Couderscet, at anyrate by the hand of a master. Of all the species of writing, literary biography is to me the most delightful. I never rise from an account of such men as Haller without a sort of thrilling palpitation about me, which I know not whether I should call admiration, ambition, or despair.

CHAPTER IV.

AGE, 22-31.—1800-1802.

Correspondence with Erskine—Robbie and Dr Thomas Brown—A Plan of Study and Action—His Comprehensive Character—His Ambition—Attention drawn to the Monetary System—Pursues his Trials, and joins the Scottish Bar—Derives Practical Information from Visits to Manufactories—Jams in the Highlands—Law Studies and Practice—Creeping into Business—Economy of Intellectual Labour—Growing Distaste of Scottish Business, and Project of Removing to London.

The following passage from a letter addressed on the 23d January by Horner to his friend William Erskine,* naturally occupies a place in his own account of his pursuits and projects at this period of his life:—‘A great town, I believe, is the true scene for a man of letters; but I know likewise that independence

* In the spring of 1804 Mr Erskine accompanied Sir James Mackintosh to India; and on the formation of the Literary Society of Bombay, in November of that year, he was chosen as their secretary. He is the author of several valuable papers in the ‘Transactions’ of that society, and translated the ‘Memoirs of the Emperor Bâber,’ published in 1826.—L. H.

ought to be the first object of our arrangements for life, and that the passion for literature ought only to be gratified in the second place. At the same time, you are not at so great a distance from us as to be deprived of the chief advantages which a metropolis affords with respect to the encouragement of literary pursuits, and I hope you will not allow the distance to prevent your participation in the greatest of all those advantages—the free communication among those who are engaged in similar studies.

Reddie,* Brown,† and I, have lately projected a translation of the political and philosophical writings of Turgot, and we are anxious to engage you in the undertaking. There is no collection of those valuable dissertations even in the original language, and one only has hitherto appeared in English, so that the plan is a very promising one. Reddie, as you might guess, insists that his share in the execution should be kept a secret; Brown and Jeffrey make no objection of any kind; and Murray and Lord W. Seymour are both desirous to have a portion of the task allotted them. By means of this subdivision, I think it may be accomplished without toil to any one. I have written to a London bookseller (Johnson) to have his commercial opinion of the project. The works of Turgot which we have collected are—his Letters on the Corn Laws, on Provincial Administrations, on the Interest of Money, on Toleration, on the Police of the Administration of Mines, on the Iron Manufactory, his Outlines of the Theory of National Wealth, five articles in the “*Encyclopédie*,” and a short letter on the Poetry of Savage Nations: some others may perhaps be found by a more diligent search, but these alone would make a valuable present to the public, their contents are at once so important and so unknown. We think it would be proper, too, to include a new translation of Condorcet’s biographical account, with extracts from the more detailed memoirs of Dupuy. That the translation might do us credit, and not be a mere job, it is proposed that each of us should not only subject his own translation to the criticism of the rest, but also undertake to revise that of his associates.’

The following remarkable project forms the first entry in the continuation of the *Journal*:—

‘*February 2.*—PLAN.—I have long been feeding my ambition with the prospect of accomplishing, at some future period of my life, a work similar to that which Sir Francis Bacon executed almost two hundred years ago. It will depend upon the success and the turn of my speculations whether they shall be thrown into the form of a discursive commentary on the “*Instauratio Magna*” of that illustrious author, or shall be entitled to an ori-

* James Reddie, Esq. See note, page 25.

† Dr Thomas Brown, afterwards the successor of Dugald Stewart in the chair of moral philosophy.

ginal form, under the title of "A View of the Limits of Human Knowledge, and a System of the Principles of Philosophical Inquiry."

I shall say nothing at present of the audacity of such ambition. No presumption is culpable while it only stimulates to great undertakings; it becomes excessive when it appears ridiculous by the inadequacy of what is performed when contrasted with what is attempted. If I have vanity enough to think myself—I do not say *equal* to such a scheme, but *capable* of rendering myself equal to it, I trust I shall retain pride and discretion enough to be conscious all along how far my acquisitions are adequate to my aims.

The chief difficulties I shall have to encounter arise from the vast extent of the plan itself, from the necessity of making it but a secondary object during the greater part of my life, and from my natural indolence and versatility. To the proper remedy of these evils, and the proper counterpoise of these obstacles, I must pay a solicitous and persevering attention, above all, to the most effectual means of economising intellectual labour, and of methodising the distribution of time. But I do not mean to enter upon these details at present. My object in committing myself to paper upon this occasion is very different. In order to reduce my views within the span of probable longevity, I must look forward with courage, but at the same time with discretion and prudence, to the *quantum* of science which it is practicable for me to attain, in compatibility with my professional pursuits, within the next twenty years. It is proper for me to know how much I should aspire to, and then to arrange the order of my journey. At present I am of all men that pretend to be informed the most superficial: I have dabbled in languages, mathematics, mechanics, chemistry, metaphysics, the fine arts, even physiology and physiognomy: on all of them I can talk very fluently before the ignorant, but on none of them am I profoundly, or even accurately informed, or capable of thinking for myself either with originality or with precision. I see, therefore, what yet remains to be done—namely, to take up one science after another, and work doggedly through its details; to content myself, as far as vanity is concerned, with the reputation which every superficial man acquires—of being a profound *savant* on those subjects on which I still remain superficial; and, as far as ambition is concerned, to content myself with the consciousness that my claim to real information and science will be progressively augmenting.

Before I enter upon this course, I am not sure but it may be advisable to extend my surface a little farther—that is, previous to the particular investigation of any one science through its details, to make myself master of the elements merely of all the

different sciences. This idea I adopt not merely from a conviction that it is in early life that elements are most easily acquired, but likewise from its appearing to suit more happily than any other plan the project I have in view as the end of all my labours. For by thus embracing an elementary view of all the sciences, I shall obtain probably, in the same proportion, an elementary and imperfect conception of that *Prima Philosophia* which I mean to extract from my studies.

So much am I convinced of the propriety of keeping my final object always in sight, and of making references to it in every state of my advancement, that I intend to attempt even at present, in the crude state of my elementary knowledge, a sketch of my ultimate plan. It will be the scrawl of a child who has for the first time laid his hands on a pencil; without proportion, without transition, without mind, without shading, without perspective, almost without form.

Sketch, &c.—1. It will probably be long ere I can decide whether the best plan is to throw the “view of the object of science” and the “system of logic” into two separate treatises, as Bacon has done, or to combine them into one great regular structure. At present I am disposed to prefer the latter idea; but I am still ignorant whether Bacon explains his reasons for adopting the other.

2. Philosophy is the knowledge of those numerous existents or beings that compose the universe, and of those various events which compose the phenomena of the universe. The rules and method of philosophical investigation are directed to the means of acquiring and of preserving this knowledge with the greatest accuracy, security, and facility. A knowledge of the beings that compose the universe seems to consist in a proper classification of them, and constitutes natural history. Such classifications appear at first sight to be nothing more than artificial assistances to memory: if they are nothing else, it remains to inquire upon what general principles such classifications should be constructed so as most effectually to answer the purpose which they are intended to serve. This discussion, however, belongs to another part of the arrangement; here we have only to determine how far the knowledge of existents lies in classification, and how far the utility of classification consists in aiding the memory.

A knowledge of the *events* which compose the phenomena of the universe consists also in a classification of those events; in other words, in the reduction of them to general facts or events, which are commonly, but improperly, called *general laws*. There appears to be some essential and fundamental distinctions between this classification and the former, though I cannot yet point out on what it depends.

Note by Mr Horner on the margin of this page of his Journal, dated the 12th of July:—‘The annexed plan fell into my hands* among other scrawls, and I looked at it as if it had fallen from Heaven. I have an indistinct recollection, however, of having written this dream one rainy afternoon, when I dreamt of a resolution to be a great man.—“*Parce, puer, stimulus,*” &c.†

In the first entry of the continuation of his Journal, we find that a subject with which he became afterwards prominently connected in political life had begun thus early to occupy his mind, and that the germs of the Bullion Report appeared in the Speculative Society.

JOURNAL. ‘*March 26.*—In a fortnight it will be my turn to read a paper at the Speculative Society, for the subject of which I have chosen the “Circulation of Money.” This forenoon I endeavoured to meditate, and made out a few queries; all I can hope to do for some days to come. I find the circulation of money a very dark subject, though a few gleams of light have struck me.

April 8.—The circulation of money I found a subject of too great difficulty; and what Smith and others have written on it too controvertible to allow me to draw up a paper on it within so short a time. After running myself within four days of this date, I have been forced to change the subject of my paper for the Speculative; and I read this evening some remarks on the influence of a great commercial metropolis on the prosperity of the state. I had often made this a topic of reflection; so that I had little to do but putting together. I rather congratulate myself that I wrote above one-half of the disquisition at one sitting this forenoon, and that I read the whole of it from the first draught, without being reduced, as formerly, to the sad task of copying. I must now apply with unremitting diligence to Scots law, as I mean to pass my trials in the course of two months.

April 18.—Four hours in the forenoon on the subjects of *Tack* and *Wadset*;‡ refreshed myself before dinner with a few chapters of Livy. In the afternoon Brougham§ and I went over the title, in Erskine’s “*Principles, Of the Vassal’s Right*”; and in the evening I was at Stewart’s lecture, in which he gave an account of the Poor-laws of England and Scotland.

* This ‘Plan’ was written on a separate paper, and is stitched into the Journal.—L. H.

† The commencement of a line in Ovid’s ‘*Metamorphoses*,’ where Phaeton is counselled by his father before mounting the chariot of the sun: ‘*Parce, puer, stimulus, et fortius utere ioris.*’ It means—Youth, spare the lash, and pull the reins tight.

‡ The Scottish legal technicalities for a lease, and an old species of security over landed property.

§ They met at this time regularly to study Scots law together.—L. H.

May 8.—This was a rambling sort of day. In the morning, instead of my regular allotted portion of Scots law, I studied the circumstances of a case which Murray put into my hands, relating to testamentary succession. Brougham came to *grind*, and we had nearly gone through the title of Adjudications, when Lord Webb called, to propose a walk: we set out all three, and had a little chemical chat. In the evening, after lounging about an hour over Bell's "Travels," to dispel the drowsiness of rapid digestion, I set myself down to Pinto;* and had worked about a couple of hours, when Brougham came to show me a mathematical communication that had been anonymously sent him from London, in which some criticisms were contained upon his last paper on Porisms. The essay is upon cycloidal curves; and the author affects to have discovered that the prolate and contracted are sufficiently distinct from the ordinary cycloid to entitle them to a separate name. Before going to bed I endeavoured to refresh my memory upon this subject. What a time it is since I tasted the pleasures of mathematical exercise!

May 11.—Did not read a syllable of Scots law, but lounged all the morning over some commercial details, till Brougham called on me, in company with Miller,† who is come to town with a view of passing his trials in civil law. Walked out with my father to dine with Sir Patrick Inglis.‡ As we went along, I got some valuable commercial information. Indeed if I were awake to the opportunities that I daily possess, I might receive from my father a great deal of information in that line; to an extensive experience, he has added the habit of viewing that experience upon enlightened general principles.

May 19.—In the forenoon studied Scots law for three hours; got through *Poinding*, and entered on the doctrine of *Prescription*. Lounged with Seymour till dinner-time in the Botanic Garden, Leith Walk; and after dinner lounged, in a different manner, over the first twelve chapters of the fourth book of the "Annals of Tacitus."

I cannot resist, as I ought to do, the luxurious temptations of a fine evening, especially when I can enjoy it in a solitary walk, and absorb myself in the delirium of meditative romance. All my plans of life have been reviewed this evening, and I have suffered my imagination to pursue, with unrestrained sensibility, the track of future scenes. Such fits of musing may have a decided effect even in realising their own fond anticipations, if I can always guide them to leave upon me this valuable impression; that my objects must be simplified, my views systematised, my ambition concentrated.

* 'On Circulation and Credit,' the work of a Portuguese Jew.—L. H.

† Son of Mr Miller of Dalwinton, in Ayrshire.—L. H.

‡ His father's partner in business.—L. H.

May 20.—In spite of the near approach of my Scots law trials, I read only an hour at Erskine; the day was given up to a chemical debauch.

May 24.—Was at the Chemical Society,* where we arranged the business that is to occupy us during the summer. Everything looks well. This evening Dr Kennedy performed the beautiful experiment of distilling phosphorus from the vitreous acid. Lord Webb and I attended him through the whole operation.

May 26.—Another day of chemical dissipation. Before breakfast, went over Fourcroy's chapter upon phosphorus and the phosphoric acid. In the forenoon had a ramble with Seymour, who went over, for my benefit, an outline of the Huttonian theory. He chose for the scene of action the whin dike that crosses the strata of schistus in the bed of the Water of Leith. In the afternoon I met Kennedy and Thomson, and enjoyed a miscellany of chemical conversation. I went with Kennedy to see the manufacture of tobacco-pipes, which is a very neat operation. A knowledge of the arts, as they are practised in different parts of the country, is what I am desirous to possess on many accounts; but especially the subserviency of such knowledge to the study of political economy. To collect information from workmen is a matter of some address, for they are in general mere machines, and not unfrequently more ignorant, literally speaking, than the tools which they employ. I may gain sufficient practice of this address in the few manufactories that are in the neighbourhood of this place, to prepare me for more ample opportunities. But I must reflect on the best mode of acquiring this *habileté* of interrogating the lower orders; Locke and Franklin are said to have possessed this power in an eminent degree; the latter acquired it of course spontaneously by his early habits, the former must have made it a matter of study.

June 5.—To-morrow my trials take place; I have therefore this day taken a laudable fag at Scots law. For two hours before breakfast I read the title of *Servitudes*; I went up to the court to visit my examiners, and was detained there till near four by a pleading in Morthland's cause; when I came home I set myself resolutely down, and worked for six and a-half hours, till I was fatigued and sick of the subject. Why should I not read at all times with the same vigour of attention which I have maintained during these six hours?

June 6.—Stood my trials, and passed.

July 7.—I had quite forgot my Journal; my life for some weeks past has been pretty uniform. I have to walk the Outer

* A society recently established—projected, he says in his Journal of the 9th May—by Mr Brougham, Dr John Thomson (late professor of pathology in the university of Edinburgh), and himself.—L. II.

House * every forenoon, which gives me a constant headache, and debilitates me for the remainder of the day. I have had three or four causes to study, which have been my sole occupation in that way: even my favourite chemistry has been neglected till this day.

I have been with Seymour and Kennedy to visit the manufactory of steel at Cramond; we got a tolerable notion of the process, and are to take another view of it next Friday. I hope I shall regularly persevere in my plan of acquiring a knowledge of the various arts and manufactures on which so much of the prosperity, independence, and happiness of this country depends. The manufacture of iron, in its various stages, presents itself as the most prominent object in such a survey: iron is not only the soul of every other manufacture, but the mainspring perhaps of civilised society. The study of this in its various relations is a most complicated subject, and will require a comprehensive survey. I shall keep a journal of my progress in this speculation.

July 12.—This day the session closed, and I am delivered from few fees and many headaches. The ensuing four months, though usually a time of idleness, I hope to give a good account of: law must be my chief occupation, chemical manufactures my principal amusement.

I have this afternoon paid another visit to the manufactory of steel, and gathered some additional information.

July 17.—Before breakfast I read part of a memoir inserted among those of the Academy for 1786, drawn up by Vandermonde, Berthollet, and Monge, on the manufacture of iron. Between breakfast and dinner studied the acquisition of property by occupancy. The law of Scotland has been too well feudalised and *regalised* to have much to do with this abstract notion. When Grotius, and of course his followers, talk of the *law of nature*, it is evident that they stagger between the Roman law, which they knew too familiarly, and the institutions of savage life, which they had not philosophy enough to understand. Who had that was born before Montesquieu? In the afternoon I performed my task, and revised a complete lecture.

July 20.—I have this day for the first time lighted my furnace—an era proper to be marked in the annals of my learning or my folly. A Scots lawyer spending the livelong day in distilling sulphuric acid! It is playing a deep game; but I have thrown the die, and my ambition is staked upon the issue. Without making chemical experiments, it is impossible to understand the details of chemical theory: without making experiments of some kind, it is impossible to study the principles of philosophical inquiry; and those of chemistry are perhaps the most instruc-

* The old Parliament House, the Westminster Hall of Edinburgh.

tive in this point of view, both because they are the most simple, and at the same time are susceptible of much variety. Scots law and science are not, therefore, incompatible because they are seldom joined. Is there anything in the charms of science that makes it a less fit companion for professional pursuits than drinking and dissipation? Yet these, I learn from actual observation, are not inconsistent with high professional eminence. I wish to study law as a science, and for this purpose it is an essential preliminary to become familiar with the methods and principles of philosophical investigation, as they have been successfully employed in physics, before I can pretend to apply them to jurisprudence.

July 22.—In the forenoon studied, in Hume's notes and in the decisions quoted by him, the *Right of Recovery* according to the law of Scotland. How I thirst, after having made myself master of the law of Scotland professionally, to become acquainted, for the purposes of theoretical speculation, with the institutions and laws of other countries on the multifarious relations of private right, wherever those countries may be situated, and whatever form of government or state of society may prevail! I remember Gibbon has in one of his volumes a note upon the erudition of Sir William Jones, which, in the recollection, spreads a glow and pulsation over my whole frame: "He was equally acquainted with the Term Reports of Westminster Hall, with the laws of Hindoostan, and with the decisions of the Persian Cadhis." What would Montesquieu have made of such knowledge? Would he have contented his ambition with attempting to reconcile the philosophers of Europe to the Mosaic chronology?

In the afternoon I read, or rather devoured, about thirty pages of the Memoir of Vandermonde, Berthollet, and Monge on the different metallic states of iron. It is drawn up with great ability, and some parts of it with the most delicate artifices of chemical reasoning. This was rather a deviation from my plan, which is to read chemistry before breakfast, and to study (for some afternoons at least) the iron manufacture considered with a view to political economy: but I had read nothing this morning. This day I may reckon *six* hours of profitable occupation, without an exertion, however, of all the fixed attention of which I am capable. How seldom is it—not above half-a-dozen times a year—that I am roused, either by the interest of my subject, or by the necessity of an effort, to that powerful energy of application in which the whole soul is brought to one regular persevering train of thought! Yet this might be made a habit of.

August 4.—I have been indulging for some days past in the indolence of miscellaneous reading. Taste, and criticism, and composition have been uppermost in my thoughts; and I have devoured half a volume of "Price on the Picturesque" and some

chapters of Hume's history. The history of Britain during the eighteenth century haunts me like a dream; and I am alternately intoxicated with visions of historic laurels and of forensic eminence.

August 5.—Still am I loitering. The late trials in England for forestalling and engrossing are talked of as such a complete refutation of the speculations of theorists on the subject of the corn trade, that I was driven to re-peruse Smith's noble chapter on it, and I have risen from it once more with the most thorough satisfaction in the profoundness and accuracy of his reasonings. In spite of Lord Kenyon, and the juries who have agreed with him in opinion, regrating is a public benefit, and whenever it is practised with a different intention, or with a different tendency, it provides for itself the most ample and efficacious punishment.

Beside these reflections, the perusal of this beautiful chapter of Smith on the Corn Trade has suggested to me the propriety of studying his work as a model of argumentative composition. I should imagine that his style of reasoning, so artificial, and yet so perspicuous, so ingeniously minute, and yet so broad and comprehensive, would be admirably adapted to the subjects of law. A treatise of law written in such a manner would be a masterpiece; nor would it be less suited, I apprehend, even to pleadings at the bar. Spent the evening with Allen.

August 7.—In the evening of yesterday, and this forenoon, I have read a memoir by Talleyrand on the commercial relations of England and the United States of America. That intriguing politician visited the American republic within these few years; and though we cannot, under the recollection of the infamous negotiations at Paris, trust him as an impartial judge of American manners and character, yet this memoir challenges in every page the acknowledgment, that he had observed them with a penetrating eye, and has delineated them with a nervous pencil. It is easy to detach the parade of unnecessary abstractions with which, like the present French writers of every class, he has thought it necessary to introduce and to close his dissertation; and it requires no extraordinary vigilance to be aware of the false refinement by which he endeavours to resolve all the peculiarities of the American character into a single passion: but with this caution, and after this separation, I have found in the memoir several most important views of the commercial relations, the domestic manners, and the national character of the United States. The style is mixed like the substance, but the good predominates greatly: for independent of some affected conceits, and a few idiomatic inelegancies (if I may presume to judge of such a matter), his composition abounds in excellent characteristic painting. This memoir is in vol. ii. "*Sciences Morales et Politiques*" of the memoirs of the National Institute.

In the evening studied some pages of Turgot's "*Lettres sur les Grains*," with a view to make myself master of this important subject. This has been in some degree a day of study, yet, as in my late days of idleness, both chemistry and law have been neglected.

August 10.—After reading a little Scots law, I went to sit with Murray, who is confined; we went over together those fine chapters of Tacitus in which he delineates the death of Britannicus and the first development of Nero's savage disposition.

Till the heat of the day was over, I indulged my listless imagination with some pages of "*Price on the Picturesque*;" I then took up Turgot's "*Lettres sur les Grains*," which I studied with deep attention for above three hours. The admirable views that are opened in every page of this little book, not only on the subject of the corn trade, but with respect to the various relations of political society, must afford me incalculable instruction, if studied throughout with as eager and profound attention as I have been able to exert this evening.

The following letter to Mr Erskine, of 23d September, exhibits his power of appreciating picturesque scenery at this period of his life:—'I am lately returned from the Highlands, which I have been traversing on foot; and I at length conquer my epistolary laziness, in consequence of a vow which I made to my own mind in some pleasing scene of that romantic country. I am not metaphysician enough to recollect the particular train of ideas by which the blue lakes and the heath-covered mountains conducted my fancy to the remembrance of you among other absent friends; but you are enough of a pedestrian to have been taught by the experience of your own sensations, that the picturesque charms of nature impart an emotion which does not terminate in the mere pleasure of the eye, but carries on the mind to every delightful recollection. For myself, indeed, I must own that, in taking these excursions to our native mountains, I am conscious of indulging myself as a sort of voluptuary; for all enthusiasm is surely nothing better than a debauchery of the imagination; and while surrounded with the forms of that wild magnificence, on which I have lately feasted my senses, I feel myself sunk altogether in passive impressions, and hurried into every involuntary dream, either of the future or of the past, that the fever of association brings before me. You see I have not even yet lost all symptoms of what would fashionably be called morbid excitement.

In the progress of my recovery, while I slowly regain the cooler habits of a city life, I have been reflecting whether the practice of travelling in search of picturesque beauty has not arisen of late years, and whether it may not be considered as a new source of beneficial enjoyment. In all ages, the poets have

studied natural scenery as the storehouse of their ornaments and imagery; and in all ages men of heroic views must have drawn the inspirations of genius amidst the solitude and silent wildness of nature: the same disposition insensibly led Mohammed and Bonaparte into the same path. But that people of all descriptions should now feel it agreeable from taste, or necessary from fashion, to visit every scene in their native country that is said to be romantic, seems, as far as I recollect, peculiar to the present age. It is a consequence no doubt of that increasing luxury which keeps up a constant demand for new gratifications; but luxury seems here to have taken a direction that must be attended, I should imagine, with an important influence on manners, and an influence which I cannot suppose to be disadvantageous. A taste for picturesque beauty must be intimately connected with a taste for the productions of poetry as well as painting, and must contribute to diffuse very generally correct principles of judgment, or at least correct principles of enjoyment, with respect to those arts. It is still more intimately related to another art—that of gardening, which, while the property of this country is in its present state, appears to be a matter of national concern. Were the taste for the beauties of nature less connected with all these arts than it really is, it might still be considered as forming by itself one of the fine arts. How much the cultivation of all these elegant refinements is daily becoming more necessary to this country, we are daily taught by the enormous influx of commercial wealth. It may reasonably be questioned whether, upon the common chances of probability, we can expect the progress of national instruction to go on so rapidly as to keep down the baleful effects of overgrown commerce, and to repress the growth of that odious character which a nation receives from the combination of opulence and ignorance. Am I too sanguine, or am I even correct, in fancying that some good effects may result from a fashion which carries the Edinburgh citizen to the lakes of Westmoreland, and brings the London citizen to the Falls of the Clyde? In the course of the religious pilgrimages, some few gleanings of information were picked up and brought home. In the course of a picturesque pilgrimage, though undertaken from fashion merely, some faint rays of elegant and refined pleasure may gleam upon the mind, and light up some portion of taste.

JOURNAL. *November 1.*—After this long interval in my journal,* I can only state the results of my studies and reflections according to the general impression which they have left on my memory. I shall therefore extend the review over the whole period of vacation.

* From the 18th of August.

I cannot say I have been very idle, yet I cannot boast of having studied with much effect; my application, as usual, has been irregular and desultory. The ultimate objects I have in view are great, but they are distant; their distance has sometimes the effect of withdrawing them from my sight, and their magnitude occupies so large a portion of the various departments of knowledge, that the most desultory reading finds a plausible excuse in the apparent relation which all sorts of inquiry, how dissimilar soever among themselves, bear ultimately to the investigation which I have in view.

With respect to *Scots law* I have been shamefully negligent. I really know no more of my profession than a rude conception of the general outline: I could, with tolerable ease, study any particular case allotted me, but I have not a mass of the details of law accumulated and arranged in my head. During these last two months I have studied Erskine's three chapters in the fourth book on Actions, Probation, and Sentences, three chapters in the first book on Jurisdiction and Courts, and the long chapter on Movable Succession: I am at present engaged with that on Heritable Succession. Though I have studied so little law with that dogged application which I must soon exert, or give up all hopes of professional distinction, I begin even already to find the subject more easy: I am getting more into the habit of generalising and classifying the materials that are so ill put together in the treatises hitherto drawn up on the subject: when I plunge into the wilderness of Kames's dictionary, I can with a little exertion clear the ground about me; when I am immersed in the dulness of Erskine, my eye after a while adapts itself to the situation, and a small circle brightens round me.

With respect to science, my studies have been particularly diffuse; and except a small addition to the mass of chemical details already accumulated, but not arranged in my memory, I can boast of no acquisition. I can scarcely recollect more than one evening on which I really exerted any powers of original investigation; and (so generously is labour rewarded) even that short exertion was not altogether unsuccessful.

Of late I have been more than usually fond of poetry and fine writing. Scarcely a day has passed in which I have not melted away an hour or two in this luxurious reading; and I believe I have both given a sort of polish to my taste, which is still very rough, and added a relish to my sense of enjoyment, which is still rather blunt. Virgil, Tacitus, Junius, Franklin, Pope, and Montesquieu, are the authors whom I have devoured; and yesterday I found myself whimpering over Currie's account of the great and unfortunate Burns.

Nov. 23.—This is the second day of metaphysics of the present winter which Lord Webb and I have spent together. We have

begun to read Bacon, *De Augmentis Scientiarum*; and our plan is, each having a copy, to read silently to ourselves, and communicate whatever difficulties or illustrations occur to us. This is a considerable improvement upon our method of working together last winter, which consisted in one reading aloud to the other. Neither the person who reads, nor he who listens, but especially the former, can command that close attention which may be exerted in the silence of individual meditation. A great advantage at the same time is derived from the occasional practice of reading together, for each person selects different beauties, and starts different objections, while the same passage perhaps awakens in each mind a different train of associated ideas, or raises different images for the purpose of illustration. This exercise, I am persuaded, will be attended with an important influence upon my literary habits, independent of the enjoyment which it affords in the meantime: from the details of legal form and procedure I shall look forward with pleasure, but (if I can) without impatience, to the weekly relaxation of entering into Bacon's sublime visions. Into this delightful retirement, where I can breathe a pure atmosphere, and view that magnificent prospect which he has brought to light, I shall transport myself with delight from the dust, and the jostling, and the loungers of the Outer House.

Nov. 27.—I have this day finished a law paper, the first I have been employed to write in any cause of importance: it relates to a question between the incorporated trades of Edinburgh and Leith, and involves rather a nice investigation of some points in the doctrine of prescription, which appear not to have been yet decided by the practice of our court. The memorial was required of me in such a hurry, that I had no leisure to digest and arrange the general argument: between Friday last and Tuesday I ran over the voluminous papers that were sent to me; on Tuesday evening and Wednesday forenoon I arranged the materials, and composed some sheets; on Wednesday evening my clerk was at work beside me for seven hours; and this morning, in an additional hour and a-half, he completed the paper of eighty such pages as a lawyer's clerk transcribes. I have noted these particulars of my first professional exertion, in order that I may record the progress of habit, and have an opportunity of comparing at a future time the facility acquired by custom with the awkwardness of unpractised skill. To assist this comparison, it is proper to notice two circumstances—*first*, I am not quite satisfied with the view which I have taken of the general argument from which I have drawn the reasonings of my paper, partly, indeed, because it differs from the view of the subject contained in the papers sent to me, but chiefly, I must own, because, out of deference, I have adulterated my own view of the argument by an

awkward mixture of what appears to me a wrong conception of it; *secondly*, I find myself almost incapable of dictating except from very full notes, so that a great part of this memorial was actually written out at length in my own hand, and then copied by my clerk. I ought to give some time to very serious reflection on the most expeditious mode of forming those professional habits which it is proper for me to form, and the most effectual preventatives against those improper and ruinous habits into which Scots lawyers seem scarcely ever to save themselves from falling.

December 1.—This forenoon was spent with Bacon and Seymour. We went over that portion of the first book *De Augm. Scient.*, which enumerates the various obstacles that arise to the progress of science from the defects of literary character; after running over the paragraphs separately, we examined them minutely together, with a view to illustrate them by such practical instances as had fallen under our own observations. The whole passage abounds in ideas so profound, and so beautifully expressed, that I cannot resist the temptation of culling some of the sweets, and serving up another banquet to my delighted imagination. In describing the opposite prejudices of a blind reverence for ancient opinions, and a raging appetite for paradox and innovation, Lord Bacon quotes a quaint maxim, which suggested to me an idea entirely new: "*Antiquitas seculi, juvenus mundi*" —["*The antiquity of time is the youth of the world*"]: whence is it that our ordinary associations on this subject are so fallaciously founded on an analogy directly the reverse? "*Nostra profecto sunt antiqua tempora, cum mundus jam senuerit*" —["*Ours, indeed, are the ancient times, since the world has now grown old*"]. Bacon speaks of the evil effects of premature system upon the progress of science, and he insists upon the superior advantage of arranging our knowledge into detached aphorisms, which leave the passage always open to farther additions and improvements. If this observation refers to the propriety of confining our theoretical arrangements within the precise limits of actual and legitimate induction, it appears to be so well founded, that no real progress can be made in any science without implicit obedience to the precept. In all my future studies and investigations with regard to the complicated relations of political economy, and the principles of general jurisprudence, I wish I could keep this rule steadily and habitually in view. * * *

In the evening I read over with attention that sketch of the general principles of jurisprudence which Bacon has given in the eighth book of this treatise. It suggested materials for much reflection and future investigation. In particular, it presented the idea of a work which might perhaps be entitled "*Elements of Judicial Logic*;" and which would contain not only those general

principles of equity by which the decisions of a judge ought to be guided when cases occur to which no principle already established is applicable, but likewise a set of rules, with respect to the interpretation of statutes, the proper limits of the authority which is due to precedents, and the gradual development of consuetudinary law; and besides these, the general rules and principles of evidence.

This day has therefore been usefully employed, though not distinguished by laborious diligence: I shall endeavour to devote one day of the week, as regularly as I can, to the study of Lord Bacon's writings, or of works on a similar plan. In this way I may flatter myself with the reflection of making an effort at least to preserve my mind untainted by the illiberality of professional character, if not to mould my habitual reflections upon those extensive and enlightened views of human affairs by which I may be qualified to reform the irregularities of municipal institutions, and to extend the boundaries of legislative science.

Dec. 2.—This forenoon I began a course of reading on the details of political economy, with a view to Stewart's lectures, which I propose to attend. I have commenced with the investigation of the *Corn Trade*: partly determined by its general importance, and partly induced by the interest which it excites at present in this country; when all enlightened reasoners are awaiting that accomplishment of the first genuine triumph of political philosophy which the candid and liberal coalition of the two parliamentary parties has so fondly predicted. I read about fifty pages of the "*Essai sur la Police Générale des Grains*."* In the evening went over, in a cursory manner, the general doctrine of the law of Scotland with respect to agricultural leases.

Dec. 3.—This forenoon, after returning home from the Parliament House, I ran through the remainder of the *Essay on the Police of Grain*. I have perused it in so hasty a manner, merely with a view to prepare myself, by a general idea of its contents, for a minute and reflective examination of its principles. I scarcely imagine, however, that it will detain me long; the views contained in it are delivered with so much perspicuity and eloquence, and accord so entirely with all that I have ever believed upon the subject, that I hope it will cost me very little trouble to select and appropriate to myself either what is new in argument and fact, or what is happy in point of expression. I was not entirely occupied, however, even this day, with the inactive impressions of cursory readings; many passages set my own thoughts to work, and I shall prosecute in the remainder of the week the hints that suggested themselves with respect to the

* By Turgot.

general analysis of the corn trade. Not a day passes over me, whatever be my immediate object of inquiry, without a visionary and brilliant prospect of the position which the results of all my researches will hold in my general history of Britain.

Dec. 11.—For some days past my hours have been pretty regularly distributed between idleness and occupation. To the former side of the account I must place the whole morning spent in the Parliament House; and which I can only occasionally relieve by attending a pleading, or by reading a law paper. On the other side, I may note a couple of hours devoted, after my return home, to the economical details of the corn trade; an hour immediately after dinner, while the rapid progress of digestion clouds the powers of apprehension, employed in the lighter labour of culling flowers from the style of Gibbon; and the remainder of the evening filled up with the study of my friend Bell's* new publication on the bankrupt law.

The corn trade, the elegancies of Gibbon, and the bankrupt law, are all coupled in my dreaming imagination with two glorious visions—historical reputation, and professional eminence. I have of late been haunted likewise with numberless reflections on the propriety of investigating my political opinions with impartial perseverance, and of forming some short rules of conduct in this particular: "*Solvendum est problema difficillimum*"—["A most difficult problem has to be solved"]—to ascertain the maximum of absolute and enlightened independence, and the happy medium between the prostitution of faction and the selfish coldness of indifference.

Dec. 17.—In addition to the employments and speculations described in the preceding article, I now attend Stewart's lectures on political economy, which he delivers three times a week. I do not expect to find that he has enlarged his materials much beyond what he communicated to his hearers last winter; but it is not so much from the detail of particulars that I derive improvement from this amiable philosopher's lectures, as from the general manner and spirit with which he unfolds his speculations, and delivers, in chaste and impressive language, the most liberal and benevolent sentiments, the most comprehensive and enlightened views. Something of this taste may perhaps be caught by the frequent opportunities of so pleasing an example. His plan embraces the various branches of what he properly terms Political Economy: the general principles of population; the theory of national wealth, including an illustration of the doctrine of free trade, as well as of the circulation of money;

* By George Joseph Bell, Esq., advocate, subsequently professor of Scots law in the university of Edinburgh, and author of several works on law and jurisprudence.

regulations with respect to the poor; plans for the education of the lower classes, for a system of preventive police, &c. He omits altogether the theory of jurisprudence, civil and criminal; a noble field for the future achievements of philosophical genius, and from which even the genius of Smith seems to have shrunk: he relinquishes also the theory of government, because he conceives (in my apprehension most justly) that, compared with the investigations of political economy, it is at all events of secondary consideration, and perhaps of subordinate importance. He proposes, in all these subjects which he is successively to discuss, to remark the striking contrast of ancient and of modern policy.

Stewart insisted this morning, with great elegance and force, on his favourite remark, that the general principles of internal economy and regulation are far more worthy of the interest and attention of the political philosopher, because more immediately connected with the public happiness, than discussions with regard to the comparative advantages of different constitutions. This view of political speculation falls in with the train of reflections on which my mind has lately dwelt a good deal, as to the share which the contagious spirit of party disputation almost insensibly leads most people to take in the parties of the day; a subject on which I ought soon to bring myself to a decision. The plan of sentiment and conduct can scarcely be difficult to form in my situation, and with my views: at too great a distance from the scene of public action for a man of liberal ambition to entertain any desire of political eminence, it can be no arduous task for me to fix myself in uncontrollable independence, and by the intrenchments of liberal opinion and candid judgment of character, to insulate myself altogether from all forms of faction. My great difficulty is, to ascertain the exact degree and tenor to which an interest in public transactions and in the general welfare of the state ought to be kept up; for a scepticism or cold indifference about these seems to me both criminal and contemptible. Perhaps the remark of Dugald Stewart, to which I have already alluded, may help me to a solution of this problem; and I may enlighten, as well as fortify, my resolutions by recourse to some of the ancient moralists, particularly the elegant writers of the Stoical school. Such resolutions, and such a plan of life, it imports me to form deliberately and boldly, whether I flatter myself with eminence professional, historical, or philosophical.

Dec. 18.—I still carry on my inquiries into the details of the corn trade; I have been much gratified with some late pamphlets on the subject, both on account of the information which they convey, and of the spirit in which they are written. "*Magna quidem, magna est veritas, et prævalebit*"—"Great indeed, great is truth, and it will prevail"]. In this investigation I have

enjoyed the advantage of perusing some very full notes of the evidence which the House of Lords is at present employed in collecting and arranging: these notes are written by the Duke of Somerset, who sends them down by parcels to his brother.

My afternoon and evening are religiously given to legal studies, except the regular relaxation at the Chemical Society, and in the works of Bacon, and the occasional relaxation at the Speculative Society. Four evenings in the week I strictly command; and I extend the sitting for more than five, or sometimes six hours. I have made some progress in Bell's publication, and the arrangements of the bankrupt law interest me extremely; but the loss is, I cannot always keep in remembrance that I ought to prepare myself for business by the accumulation of authoritative details, but frequently awake out of a dream about the illustrations, which I *ought to find* in these details, of the general theory of jurisprudence, and about the prospects which break upon me at a distance of general commercial history. I am forced, in consequence of being engaged in a justiciary trial, to suspend my study of Bell, in order to furnish myself with some notion of the procedure of that court: I read this evening Hume's chapters on *Arrest, Commitment, and Bail*.

January 1.—(The first day of the nineteenth century, and the commencement of a new epoch in the history of the British empire, consolidated by the legislative union of the two islands.) During the holidays I had anticipated the possession of complete liberty; but one-half of the vacation has slipped away in the preparation for the justiciary trial on which I was engaged as junior counsel. As it was my first attendance on any business of the kind, I did not fail to see and learn something new: what I learned consisted chiefly in an imperfect glimpse of what it will be necessary for me to learn. The method of conducting the examination of witnesses—the means of forming a conclusive opinion from numerous, varying, and circumstantial testimonies—and the style of argument and of arrangement proper for enforcing to a jury a commentary upon evidence—are subjects highly curious and important; and in the thorough investigation of which much immediate pleasure may be enjoyed, and powerful resources accumulated for the management of judicial business. I suspect no book exists from which I can derive any assistance as to general rules and methods; but a diligent perusal of such criminal trials as are reported will initiate me into the style of ordinary practice, and the rest must be acquired by the exertion of my own powers of arrangement. I may here notice one trifling remark which occurred to me in the course of the late trial; upon that occasion all that the prisoner's counsel had to do was to forbear, and to resist the curiosity of knowing the story that was under investigation.

Jan. 10.—As I have been unwell for some days, and my indispositions generally unfit me for accurate attention, I have indulged myself in the agreeable idleness of poetical and rhetorical reading. The third book of Cicero, “De Oratore,” together with his smaller miscellanies of the same kind, inflamed me with the admiration of fine composition; from the theory and precepts I passed to some examples, and though Massillon’s Sermons did not much interest me, my ardour was fully restored by some orations of Demosthenes, which I read in the translation of Francis. But my taste found a still more delightful repast in some select morsels of historic eloquence: Gibbon’s fifteenth chapter is a splendid picture in its general design, and finished with much ornament and skill; it led me to two noble sketches which I had not before perused—the fire of Rome under Nero, as described by Tacitus; and the introduction of the Bacchanalian mysteries and superstition, as described in the thirty-ninth book of Livy. I have revelled likewise in Milton, Virgil, and De Lille; the rich store of imagery and sentiment which De Lille has amassed, the calm tone of philosophic elegance and refinement of diction which breathes over the landscapes of Virgil, and the lofty harmonious magnificence of Milton’s immortal verse, alternately supplied me a luxurious repast, and may all contribute to the melioration of my taste and the enlargement of my powers of composition.

Jan. 16.—I attend the Parliament House scrupulously, and am creeping into a little business, which gives me the shadow and fancy of occupation. Occasional consultations direct in a great measure the course of my legal reading: a paper on the subject of judicial factory led me to study with some attention the whole article of Cautionry; and an appointment to the list of counsel for the poor induced the propriety of studying in the Acts of *Sederunt* the duties and functions of that situation. At the same time I keep in view the general design of investigating the principles of law on the various branches of personal right or obligation: when I have made myself master of these, which constitute the body of what may be denominated commercial jurisprudence, I propose to plunge into the mysteries and darkness of the feudal institutions.

Half hours have been given by stealth to a new poem by De Lille, which I have just received from London, and which is entitled “L’Homme des Champs.” I shall reserve my positive opinion and enlarged criticism till I shall have given the work a repeated perusal; my present impression of its merits ranks it much lower than “Les Jardins” of the same author, though I have certainly been struck with some elegant passages.

I likewise attend Stewart’s lectures, and strive to imbibe some portion of that elegant taste and comprehensive spirit which are

diffused over his speculations. At the same time I confess that I begin to suspect him of excessive timidity on the subject of political innovation, and the practicability of improvement by individual exertion. And I am not sure if the great elegance and sensibility of his compositions have not in some degree an unfavourable effect in the investigation of truth and the communication of knowledge: in so pleasing a dress, error and involuntary sophistry might insinuate themselves undetected, because without suspicion; and even truth itself finds admission too easy when the severities of attention have been lulled into reverie by the charms of the most select diction and the most attractive imagery.

Jan. 17.—I may take notice in this place that I have of late fallen very much into the habit of taking advantage of those short intervals of time that would otherwise be entirely lost, by employing them in the collection of elegancies of composition and expression. I refrain from confining myself to any one author, or to any particular style; but Gibbon's first volume has been more in my hands of late than any other book. My judgment of his style has undergone several vicissitudes; at present, it leans to a much more favourable impression than I felt some time ago. I read for about half an hour this afternoon some passages at the conclusion of the tenth book, which have struck me as being very finely delineated; particularly the character of Gallienus, and still more his narrative of those events which, to use his expression, "reflect a strong light on the horrid picture" of the times.

I ought here to enter likewise a record of another practice, which I adopted about a month ago, and in which I have persevered with resolution. I copy into a book of a portable size, and in a small handwriting, all such passages in the works that pass through my hands as appear to me distinguished by the combined excellencies of comprehensive sentiment and eloquent expression. In this practice I have not so much in view either the effect of thus imprinting those passages on my memory, or the exercise of discriminative taste in forming the selection, as the remote pleasure of revolving such sublime views of science and of human nature, if I should happen at any time to be removed from an opportunity of consulting the originals. At the same time, I am pleased with the idea of forming such a noble museum, into which no specimen is admitted but what bears the divine stamp of genius; and I have sometimes flattered my vanity with comparing this labour with that to which Raphael submitted when he formed his collection of what he called *the thoughts of the ancients*.

Jan. 18.—This morning was spent with Lord Webb Seymour in reading Bacon, *De Dignitate et Augmentis Scientiarum*. We entered upon the fourth book, with the design of reading it through; but the first chapter supplied such abundant materials of discussion and reflection, that we did not advance beyond it. I wrote several

pages in consequence of a conversation which we had started; and when we came to compare our notes, we were mutually surprised, as we have frequently had occasion to experience, at the very different form and train of thought into which we had separately wrought up reflections with regard to which we were pretty nearly agreed. Our different habits of present study, our different views of future life, and our different plans of literary achievement, could scarcely fail to produce this effect. Lord Webb has just occasion to reproach me sometimes with affecting fine composition even in my notes and memorandums; and I have taken the freedom of expressing my apprehensions that certain innovations in metaphysical language—to which he has, however, attached very definite ideas—may have laid too fast hold of his associations.

Jan. 21.—This afternoon I studied a case which I am to plead in the Outer House to-morrow, in which a sister pursues her brother for the provision destined to her by their father. It seems to be a very good exercise, both of the memory and of the powers of continued attention, to arrange in the head, without notes to assist it, the circumstances and narrative of a lawsuit. I already feel a difference in the improved quickness of my apprehension in this respect; but I feel, to my utter mortification and shame, the greatest dearth of legal topics on which I might build the arrangement of argumentative discussion. I am too little in possession of law to comprehend in one view of any question the various relations which its circumstances bear to each other.

Jan. 22.—After waiting the whole morning, my pleading did not take place. My only recompense for a constant and ever-during headache, consists in hearing a few important questions well discussed out of a vast mass of cases which are either not important or do not receive an interesting discussion.

The whole of this evening, and till almost two hours past midnight, I was engaged in studying a mass of papers, from a Sheriff Court and the Bill Chamber, relative to a competition between two alleged assignations to a tack—[a lease]. In its present shape, the question turns solely upon a point of form; and that of course costs me much trouble.

Jan. 23.—This forenoon I pleaded the cause which I studied last night against Gillies,* a man of a very vigorous intellect. I lost the question; from the demerits of my plea, as I am bound to believe, not from the imperfections of my eloquence. Yet what is that mysterious power of self-possession which is gifted to some men, and withheld from others, according to the constitution of their nerves and blood-vessels! which deserting us, when we are placed in a new situation, palsies the faculty of memory in its re-

* Adam Gillies, Esq., advocate; afterwards Lord Gillies, one of the judges of the Court of Session.

collection of what has been most recently imprinted, and suspends the course of those habits which long exercise had formed.

February 19.—During the long period of which I have omitted to register a journal, my time has been variously portioned out between business and dissipation; though I must confess that the latter has occupied the greater share. I have mingled more of late than I have been accustomed with the society of that description of women who were so agreeable to David Hume; but after I deduct a few exceptions, where personal preference has fixed a charm, I confess that I rather yield to the speculative anticipation that pleasure ought to be derived, than to the remembrance of pleasure actually experienced. At the same time, I believe this may be owing to my novitiate in such society, and my unskilfulness in extracting that amusement from it which it is qualified to furnish; it may be owing also, in part, to the very irrational style of company which prevails in Edinburgh, where large parties are brought together without the smallest idea, either on the part of the lady of the house or her guests, that conversation is the purpose for which people meet together. Indeed, from what I have seen, the inhabitants of this place have very little taste in conversation; if a few of those be excepted who, either by their rank or by their literary pursuits, have viewed more of the world than can be seen within Scotland.* I talk chiefly of that form of company in which men and females are intermingled; for in the male parties there is always information at least to be got, though very rarely conveyed in an agreeable form. In general, the women of Scotland are much less polished in their manners than English women of the same rank; nearly in the same proportion in which they are less successful in their dress: there is a coarseness, or rather a want of softness, in Scotch manners; there is more familiarity than in the conversation of English ladies, and less ease. I have been led into this long note on a subject which will attract my attention more frequently in future, in consequence of having lately spent much time very agreeably in female society; though with a burdensome consciousness of that awkwardness which I have not yet seen enough of the world to lose, and of that propensity to bookworm conversation which I have contracted from the habits of my life. A little more practice in varied society will qualify me for profiting by it, and will give me that self-possession and readiness not merely of conversation, but of reflection, which may render society a field for the observation of character and manners, instead of a shifting scene, as it is to me at present, which communicates transitory impressions to a passive mind. In

* In a letter to Mr Reddie of 14th November 1803 there is this remark: 'I have already found, I assure you, even in ordinary literary conversation, the necessity of unlearning something of the manners which one imbibes in the metaphysical climate of Edinburgh: such as the inclination to theorise, and to present general principles or rules in a scholastic dress.'

particular, the society of modest and accomplished women may serve to correct in me those asperities of manner which no man gets rid of but in their fair hands; and may present a constant opportunity for studying some of the most pleasing diversities of human character, and for ascertaining those varieties of sentiment and opinion which the moral circumstances of education conspire, with the physical difference of constitution, to confirm. A week, or a month hence, if I should review this note, it will amuse me to remark my own anxiety to justify my late idleness and gallantry: the morning walks, evening parties, and public places, to which I have been seduced by my lively cousin and her agreeable friend from Kent, having interrupted in no small degree the perseverance of legal study, and thrown into the shade certain very brilliant visions of historic fame, professional eminence, and philosophical speculation.

This evening I worked for about three hours and a-half at a paper of which I wrote several pages some days ago, and which I shall not be able to finish without another sitting. It relates to a frivolous and uninteresting question of mere fact, with regard to the boundary of two insignificant patches of ground; and the subject, on which I have already written ten close folio pages in my own hand, turns upon this notable question—Whether a ditch, half a foot in breadth and depth, ought to run on the east or the west side of a hedge which is not three feet high! When I had fairly set myself to work, I flowed on fluently enough, though certainly in a style of composition worthy of a ditch: nothing but much practice of philosophical writing during the vacation will rescue me from the vulgarism and carelessness of Parliament House papers. I have not yet acquired a taste for business, or its habits of drudgery in detail; formerly, labour was delightful to me when it was employed in the accumulation of general principles, or in the arrangement of interesting illustrations under principles already familiar to my mind; but the composition of session papers for the Outer House sickens me to nausea. Self-denial, perseverance, inflexible assiduity, what virtues you are! but what exertions you require! That ambition which can submit to present mortification and to long dull drudgery for the attainment of remote honour, is like that fortitude which can reason in the midst of danger—the attribute not of man, but of a god.

Feb. 24.—I have spent three days at Southfield,* which is almost the only house from home in which I have completely domesticated myself. Against the sum-total of time lost from study, I place on the opposite side of the account, *first*, much pleasure and agreeable relaxation; *secondly*, an increased taste for the gratifications of domestic manners; *thirdly*, my solitary

* In East Lothian, the house of Andrew Gray, Esq., who had married a cousin-german of his mother.—L. H.

reflections (after I took my departure) upon the duty of ameliorating personal character and public happiness by contributing even individual exertions to the multiplication and improvement of those pleasures which the conversation of friends is calculated to afford; *fourthly*, the discovery of the false ideas which I have hitherto conceived with regard to the most pleasing and instructive style of domestic conversation; *fifthly*, the contemplation of five individual characters, all different from each other, but all deserving of my esteem in a high degree.

I went to the Speculative Society this evening, where I heard a very indifferent discussion of one of the most interesting subjects which can engage the attention of a political philosopher—the consequences of a free commerce and intercourse between China and the rest of the civilised world. There cannot be a more splendid prospect than that of this new world being unfolded to the curiosity and the observation of European science. The discovery which Columbus achieved, hitherto the most magnificent event in the revolutions of the globe, suffers immensely in the comparison. That world which he found at the western extremity of the Atlantic was thinly peopled by scattered families of naked barbarians, who, except in one or two spots, were in the earliest infancy of the political order. But that world which is detached from Europe by the wilds of Siberia and Tartary, exhibits the sublime spectacle of an incalculable population, which, during a long succession of ages, has been disciplined into all the arrangements of the social union, and by a gradation of which the steps are unknown to the historians and philosophers of Europe, has attained a high pitch of civilisation, industry, and refinement. What an immense accession to the science of human nature will be furnished by the results of an insulated experiment performed on so large a scale! But it is not upon the gratification of curiosity to the philosopher either of Europe or of China that our anticipations are most fondly allured to dwell: our fancy is still more powerfully engrossed by the prospect of a change which will be accomplished, soon after a free intercourse, in the moral situation both of China and of Europe. The mutual collision of diversified manners, opposing opinions, separate experience, will strike a reciprocal stimulus into each; the impulse will pervade the whole system of the earth, accumulating force in the course of its progress; new sciences will spring up, and new arts; new powers will develop themselves of which man is yet unconscious: but even then the career of human kind will still appear infinite, and their prospects without a close.

March 1.—As a specimen of the irregular manner in which my studies are often prosecuted, I will note in this place the miscellaneous occupations upon which my attention has been directed during the course of the last twenty-four hours. After having

spent the forenoon of yesterday in traversing the Parliament House, I read over after dinner Lord Mansfield's celebrated State Paper of 1753, with regard to the condemnation of prize vessels, and the refusal of the king of Prussia to discharge the debts which were secured upon the duchy of Silesia. The demonstration of this memorial is so condensed, and so perspicuous, that while it keeps up a lively interest, it requires a very keen and constant effort of attention. I finished the perusal about seven o'clock, and went to the Chemical Society, where exertions of a different kind were called forth. Previous to the proper business of the meeting, Allen, Lord Webb, and I, joined in very active conversation upon the theory of the Economists with regard to productive labour. Allen confessed the same difficulties of apprehension upon the subject which we had experienced, and threw out a variety of ingenious hints which had occurred to his acute mind in labouring to dispel the unpleasant obscurity. The chemical paper before the Society was an analysis of Sheele's famous theory of phlogiston and fire, which it cost me much pains to follow throughout, from my ignorance of his terms, as well as from my familiarity with a different nomenclature. From these diversified exercises I transported myself to a scene of a different kind, where I was seated for two hours at the *whist* table; a game the ingenious combinations of which interest me enough to rouse my attention, but puzzle me enough to make that attention an effort. After all this I went late to bed, but rose in time to peruse before breakfast in a new volume of the "*Annales de Chimie*," which I got at the Society, an abstract of Berthollet's recent publication on Affinity. This abstract is very short, and seems equally imperfect, but it has roused an impatient curiosity to see the original work; for the ideas exhibited in this sketch coincide in a very flattering degree with that line of speculation into which I was led some months ago upon the subject of chemical action, in consequence of some objections which occurred to me against a paper of Vauquelin. After breakfast I worked with Lord Webb upon the beginning of the fifth book of Bacon—"De Augmentis"—which suggested various topics of interesting conversation: we were occupied at home till two o'clock, but the thread of discussion was farther prolonged throughout a walk of several miles.

Such a review, when feebly and vainly considered, may flatter the consciousness of power. But it is manifest that were the mind to be habitually indulged, especially in the early period of life, in that course of unrestrained and lawless rambling, it would soon lose the power of persevering attention or systematic study, and the memory would become a farrago of superficial and unconnected information. At the same time, some small advantage may be obtained by occasional feats of this description, provided

they be performed with activity and spirit: for it must be of great utility to have all the energies of the understanding under command, and ready to follow the various and rapid vicissitudes of any emergency that may occur.*

LETTER TO MRS GRAY, SOUTHFIELD.*

March 1801.

MY DEAR MRS GRAY—Your fine stamped paper did not gratify me half so much as your noticing me so soon. You would have done it still sooner, and would write to me still oftener, if you knew all the pleasure your letters give me. I don't need to be reminded of Southfield; but I am brought more to your fireside in the old way where you made me so happy; and when I receive a letter from any of you, it is some time before I discover that I am not actually in the midst of my friends, determined to sit up very late, in spite of the laird's economy of fuel, and to drink a great deal of punch, in spite of the lady's fears of my political indiscretion. I have often imagined that your friend Cranston† must have set me down for the greatest traitor unhanged; he probably doubts a little at this moment whether or not I have, by secret compact, sold myself to the devil.

So you ask me about accomplishments, and female education too! I am a notable hand for such weighty matters. What shall I say! My honest opinion; which is, that the accomplishments, as they are called, are *not* to be dispensed with. That rational information is a better thing, and that plain strong sense about the affairs of the little domestic world is the great object in female education, together with sagacity and liberality of judgment about such characters and such points of conduct as may affect a woman's happiness, all this is very true and very important. But the acquisition of a little ornament is not only quite compatible with these things, but will assist them by the taste which it gives; and our tastes in manners and in morals are more nearly connected than we are always told from the pulpit. Besides, it is the custom, or fashion, if you will, to get a smattering of the fine arts; and the girls who neglect it are not always ranked with those to whom they are equal, or even superior, in more important respects. I think *we* are generally as unreasonable as this; at least upon our first judgment, in spite of ourselves; and I need not tell you that first impressions are not to be slighted. All that is necessary in the way of ornament is very soon got, I believe, and very easily. Your professed draughtswomen and players are, be it spoken with reverence, often very tiresome and senseless; though not quite so much so

* See note, p. 85.

† A gentleman of very strong Tory opinions.—L. H.

as your very professed readers and philosophers in petticoats. We are jealous and envious of you when it comes to that: you must not encroach upon us; you have other matters to mind, quite difficult enough in their way, and which we have neither head nor heart to do so well as you can. There is another thing to be said in favour of the accomplishments we have been talking of; that they occasion a little more attention than might otherwise be paid to the elegancies of manner. They do not give grace and elegance of themselves; but they lead the mind to take that turn, and then they introduce those who possess them more easily to the women of higher condition, among whom, of course, the patterns of manner are to be sought for. I must add one word more in favour of music at least, which I hold to be something better than a mere ornament; it has produced a very great improvement in the parties of the younger sort; for though not so good as pleasant conversation, it is better than cards; and not only this, but if I judge from myself, it ought to be a part of every household establishment, for the sake of the ready entertainment which it affords. I know nothing of music myself more than the pleasure it gives me; and a march, or a plain song, or even a reel, is to me worth all the skilful execution of Italy; but I should like to have the song or the reel always in the room, to be heard when one longs for it; and as these things cannot be bottled up, or kept in a drawer, we must be beholden to you ladies for the gratification.

I am quite ashamed of the length of this dull epistle; in which you will find probably nothing to the purpose, but what you have been sickened with a hundred times before. As my pen begins to fail in its duty, you are delivered from my preaching. If I had not exceeded the share I allotted for you, I should have filled another sheet to Harriet; but the frank will not admit of this. Give my love to her, and remember me, in the best way you can, to my good friend Mr Gray. Believe me ever most truly yours.

JOURNAL. *April 6.*—Since I wrote the last article of this Journal, I have scarcely made any acquisitions in the detail of any branch of knowledge. My only drudgery has been writing out very full notes of a few of Stewart's lectures on the corn trade. I have been regular also in reading Bacon with Lord Webb: we have now finished seven books of the treatise "*De Augmentis*." But neither in philosophy nor in law have I prosecuted any regular object of application. I have, as usual, indulged myself in all the reveries of future achievement, future acquisition, future fame: poetry, romantic philosophy, ambition, and vanity, conspire to infatuate me in this oblivion of the present; and, amid this visionary intoxication, I almost feel the

powers of actual exertion sink within me. In justice to myself, however, I ought to note that these speculations and dreams scarcely ever consist in the representation of external honours to be enjoyed, but in the arrangement of schemes of action, in the systematic distribution of various science to be acquired, in projected improvements of my intellectual powers, and in the systematic direction of this acquired knowledge and of these improved faculties to one great and common end—the philosophy and practice of law.’

LETTER TO MR MURRAY.

‘YORK PLACE, 10th April, 1801.

MY DEAR MURRAY—Let me have a full and particular criticism of Cooke’s acting. Is he of the Kemble school, or has he struck out a line for himself? Are his powers limited to a set of characters? Every English performer, who becomes a candidate for high reputation, must rest a large proportion of his fame on the representation of some of Shakespeare’s characters: tell me what Cooke makes of Iago, Richard, &c. I am glad you like the oratorios, however unfashionable; it is one point more in which you and I agree: being altogether as ignorant of music, both of us, as the dolphins whom Arion charmed, or the stocks and stones that yielded to Orpheus, it is fortunate that that ignorance prevents neither stones, nor dolphins, nor Scotch lawyers from being delighted with the divine compositions of Handel. I used to listen to some of those which are performed at the oratorios with the same kind of interest with which I followed the splendid declamations of our *ci-devant* premier. His speeches owed the greater part of their effect upon me (and it was a stronger effect than I was always willing to acknowledge) to the music and rhythm, not of his voice, but his composition; they are no doubt equally remarkable for skilful arrangement and distribution of parts, and that is a merit which I have often fancied I could trace in the performances of Handel. I am prosing upon this subject, in order to lead your attention to the subject while you are upon the spot, where the comparison may be made experimentally. * * *

As to my studies since you left this place, they have amounted to very little; I go on as usual, not altogether idle, but employed about everything else than what I ought to be. On the subject of law I have so black a conscience, that it is begrimed all over with compunction and remorse. Poor Christian M’Kay* still lies upon my table, a huge and shapeless mass of chaotic matter, unfashioned into the form of a petition to the Lords, unanimated

* He had been appointed on the list of counsel for the poor. See p. 81.

by the breath of her unfee'd and conscientious counsel. Bell's book,* which I had vowed to read, lies still on my table. I was very glad to hear from him yesterday that he had had complimentary letters from Sir W. Grant and Lord Eldon, and a pretty long epistle, with remarks, from Thurlow himself: this is very pleasing; it is curious also, because none of our own judges are yet known to have read the book. In consequence of your request, I have taken notes from Dugald Stewart's late lectures with my accustomed copiousness; he has given the subject of the corn trade a very ample and interesting discussion; Lord Lloyd Kenyon did not escape some very pointed allusions, sharpened in Stewart's best manner.' * * *

JOURNAL. *April 12.*—The portion of Bacon's treatise, "*De Augmentis Scientiarum*," on which Seymour and I were employed this forenoon, consisted of the first and second chapters of the eighth book. The second of these I devoured with a keen, rapid, and enthusiastic appetite: it abounds with those views of life, and of the manners of the world, which never fail to charm me with as lively an interest as the accounts of a new and unknown country; it presents also a rich variety of experimental maxims with regard to the improvement of individual manners and character, chiefly in that department of self-education which proposes to augment intellectual power, to economise intellectual labour, and to render its exertions more effective. This is a subject which has for a long time attracted occasionally my reflections, but which I have hitherto considered rather under a general sense of its importance, than with any perspicuous or precise view of the means by which it may be reduced to practice. It is more than two years, I believe, since the idea first struck me of composing a practical treatise which should bear the quaint title of "*The Œconomy of Intellectual Labour*;" and which, professing to teach this most important art, should be ornamented and rendered interesting by a selection of such anecdotes with respect to the literary habits and intellectual resources of great philosophers and artists, as may be found either in the accounts left by themselves, or in the biographical repositories of Bayle, Fontenelle, Vasari, D'Alembert, Johnson, Condorcet, &c. The idea is not at present much more matured in my mind than it was upon the original suggestion; but I still think it a promising scheme, provided the materials be wrought out of my own experience. Indeed it is now high time that my plans of study should be much more systematised, the distribution of my time more rigidly regular, and my literary habits

* Mr George Joseph Bell's '*Treatise on the Laws of Bankruptcy in Scotland*,' which subsequently, as a commentary on the mercantile law in general, reached a fifth edition, and became well known to the legal profession.

more formal, than they have hitherto been; for the destiny of my future life seems now to be pretty well fixed in most particulars. I have almost reconciled myself at length to the resolution of adhering to the solitary independence of a bachelor; I am now certain that the greatest portion of every future year of my life will be spent in my native town;* and I know pretty well in what proportion the months of those years will probably be shared between the reality or the semblance of professional servitude, and the semblance or the reality of philosophical relaxation. It remains for me, therefore, to deliberate on the most effectual means of directing my future years to the attainment of certain objects: how many habits have I to acquire! how many to lose! I have never yet tasked myself to systematic perseverance; I have scarcely been conscious of any successful efforts of self-denial.

These are a few of the reflections which crowded upon me this morning while I was reading Lord Bacon: he did not suggest them to me, for I have long had them upon my mind; but he recalled them in fresh vigour, and with a mixed consciousness of ambition and of shame, of despair and of resolution. In the familiar use of his inestimable writings may I feed these sparks of latent perfectibility with constant fuel, and teach myself not only the means of rousing my faculties, but of enlightening and ennobling their efforts!

I may here notice that, next to the writings of Bacon, there is no book which has more powerfully impelled me to revolve these sentiments than the "Discourses" of Sir Joshua Reynolds. He is one of the first men of genius who have condescended to inform the world of the steps by which greatness is attained; the unaffected good sense and clearness with which he describes the terrestrial and human attributes of that which is usually called inspiration, and the confidence with which he asserts the omnipotence of human labour, have the effect of familiarising his reader with the idea that genius is an acquisition rather than a gift; while with all this there is blended so naturally and so eloquently the most elevated and passionate admiration of excellence, and of all the productions of true genius, that upon the whole there is no book of a more *inflammatory* effect.

April 22.—My legal pursuits of late have almost entirely referred to the rules by which the interests of creditors are regulated.

This afternoon and evening were spent in the very agreeable company of Sidney Smith, Playfair, Alison,† and Greathead.‡ It is

* He not long after changed his views in this particular. See his 'Journal,' 23d Nov. 1801.—L. H.

† The Rev. Archibald Alison, author of the 'Essay on the Principles of Taste.'

‡ Of Guyscliff, near Warwick.

the first time I have met with Alison, and I am quite taken with his conversation: he appears to me to possess a fund of diversified and miscellaneous information, and to have gradually formed the acquisition not only with the vigour of an original and reflecting mind, but with the temper of a mind happily harmonised and free from all the shackles of theory as well as of prejudice. This information is likewise communicated not only with the most unaffected ease, and with an air of perfect liberality and candour, but with a mixed sensibility and pleasantry which I have seldom seen so well blended together. If I should be fortunate enough to become acquainted with Alison, I persuade myself his conversation would contribute to the melioration of my character. When I recollect the lights which my understanding has received, and the amendment which my taste and passions have undergone, from the society and conversation of a few men with whom I have chiefly associated of late years—Hewlett, Allen, Lord W. Seymour, Smith, Murray, &c.—I cannot hesitate to decide that I have derived more intellectual improvement from them than from all the books I have turned over. Their influence has been the more beneficial, that each has produced a different effect; so that what I have received in the form of habit or sentiment from one, has not only been enforced by what the rest contributed, but corrected also where there was any degree of excess.

April 23.—Kennedy* sent me last night Berthollet's memoir on Chemical Affinities, which Sir James Hall lately received as a present from the author. I have been so long impatient to see this paper, that I could not resist the temptation, and resolved to do nothing till I made myself master of it. That I find will not prove a very easy task: I have worked at it all this forenoon, and have not yet been able to acquire any precise idea of his speculation. The inquiry which he states at the beginning of his paper coincides very much with the line of investigation into which I was led by Vauquelin's paper on the decomposition of muriate of soda by oxide of lead; and many of the experiments on which he founds his reasonings are exactly the same cases of anomalous affinity which I collected from different books; but the language in which he states the doctrine is very different from mine, and of course appears to me at present inferior in point of precision. The greater part of the memoir is, however, entirely new to me; and while it throws into the greatest uncertainty many theories of chemical phenomena which we have hitherto looked upon as fixed, and many results of analysis which we conceived to be quite accurate, it opens a new and an immense field of speculation, in

* Robert Kennedy, M.D., F.R.S., author of several valuable chemical papers about this time; among others, 'A Chemical Analysis of Whinstone and Lava,' published in the 'Transactions of the Royal Society of Edinburgh,' read 3d December 1798. He died the following year.—L. H.

which we may soon be conducted perhaps to a precise mechanical doctrine of chemical attraction.

April 24.—This forenoon likewise I devoted to Berthollet, but not with much success: my head was out of order, and my attention not under command. The afternoon I spent at Dugald Stewart's, where I met Alison; the rest of the company were Allen,* Lord W. Seymour, and Lord Sempil. The general conversation after dinner was of that rambling, light, literary kind which Stewart seems studiously to prefer: he never will condescend in company to be original or profound, or to display those powers of observation which he possesses in an eminent degree, but shuns the least approach towards discussion. He told us some very interesting particulars of Adam Smith's character and habits, to which he has alluded but slightly in his biographical account. In the drawing-room I had some pleasing conversation with Alison; he gave me a very interesting account of his parishioners in Shropshire, who seem to have been in a singular state of barbarism when he first settled among them. If I find time, I will note down some of the particulars he mentioned to me. My opinion of his conversation and character is confirmed and heightened.

April 26.—This forenoon Lord Webb and I worked at Bacon for five hours; the latter part of the second chapter of book eighth with respect to political fortune-hunting, and the third chapter on the means of promoting national aggrandisement, are written in a spirit unworthy of his virtue, as well as of his philosophical comprehension. In the one, he is the dupe of that short-sighted policy which makes territorial extension by means of war an object of national pursuit; in the other, he expatiates, not with indignation, but with complacency, on those loose and profligate principles of morality which have proved but too successful at all times in misplacing the courtier into the situation of the statesman and legislator.

We went afterwards to hear Sidney Smith preach, who delivered a most admirable sermon on the true religion of practical justice and benevolence, as distinguished from ceremonial devotion, from fanaticism, and from theology. It was forcibly distinguished by that liberality of sentiment, and that boldness of eloquence, which do so much credit to Smith's talents. I may add, that the popularity of his style does equal honour to the audience to whom it is addressed, or at least to that diffusion of liberal opinions and knowledge to which the members of so mixed an audience are indebted for the fashion and temper of their sentiments.

April 27.—I employed the whole forenoon in writing to the

* John Allen, Esq.

Duke of Somerset upon the subject of philosophical language. I had delayed this from time to time for nine months past.

In the afternoon I read with Lord Webb. He lately came to the resolution of passing another year in Edinburgh, as the political situation of the continent is still unfavourable to travellers, and as in that time he may prosecute pretty far his mathematical studies under Mr Playfair. He has challenged me to continue during this ensuing year our studies of philosophical logic in the works of Lord Bacon; and likewise proposed that we should read together Smith's "Wealth of Nations." I have agreed to both proposals. His more intimate acquaintance with many facts in the interior situation of the country, in consequence of having travelled a great deal both in England and in Scotland, will contribute a large portion of illustrations which will be valuable to me in the progress of the investigation. I hope to date from this day the commencement of a regular course of political economy.

April 30.—Worked this forenoon at an answer to a representation,* the commencement of *my* summer session, but did not finish it, as Reddie called upon me. A good deal of instruction may be derived from his conversation upon general subjects of law, for he has studied the theory of his profession most conscientiously as to application, and with a considerable portion of the philosophical spirit. In the afternoon Lord Webb and I made our second attack upon Smith's "Wealth of Nations," and finished for the present the subject of the Division of Labour. Our mode of reading is—first to go through each chapter with a minute attention to the accuracy of the argument, endeavouring at the same time to recollect all the illustrations by which we can either confirm, contradict, or modify his general principles: when we have read as many chapters as make a complete subject of itself, we review the whole in a more general manner, and take a note of such subjects of future investigation as seem necessary to complete the theory.

It may be proper here to mention that I have for some days past been in the practice of turning over for an hour—not more—after dinner any of those books in my room which are likely to present authentic facts which may be turned to account in the philosophy of commerce and political economy. I wish to impose it upon myself as a rule, not to listen to any fact without an attempt at least to refer it to some general principle, thus reversing the order to which I subject the train of my thoughts when I read any general or theoretical treatise, and allow myself to admit no general principle without summoning all the details of particular illustration which my memory can furnish.

* A paper for the court.

May 3.—In the forenoon read with Seymour one-half of Bacon's disquisition "*De Justitiâ Universali*." The profound and comprehensive views which are sketched in the Proœmium of this disquisition are justly considered by Dugald Stewart as the most remarkable flight to which the genius of Bacon soared above the science and sentiments of the times in which he lived; while the liberal and discriminating good sense which pervades all the aphorisms in the sequel of the treatise, illustrates the success of a vigorous and original mind when its energies are concentrated upon a professional subject, and proves that the powers of Bacon were no less qualified to liberalise the details of minute arrangement, than to extend and enlighten the bounds of general speculation. What a loss to the science, and to the practice of jurisprudence, that he did not prosecute the subject which he has opened up in so pleasing a manner; and upon which, as it had occupied the thoughts of his whole life, the labour of composition must have consisted in mere remembrance rather than invention! It would have been no less interesting had he communicated his ideas with regard to the theory of government; for he has stated so well that principle of expediency and of mutual sympathy from which laws derive their sanction, that he could scarcely have failed to extend the same view to the foundations of the imperial authority. It is possible, indeed, that the prejudices of the age, or rather of the reign in which he lived, might be wrought into his habits of thinking, in consequence of the habits of conversation and behaviour to which it was necessary for a courtier and political lawyer of that reign to submit. But the awkward, forced, and artificial manner in which he apologises to his readers for observing a total silence upon the subject of government, renders it more probable that even in that walk of meditation his genius preserved its liberty, however he might demean himself by a slavish observance of fashionable opinions, or by a still more unworthy concealment of his real sentiments from posterity.

This afternoon I gave a second or third sitting to the doctrine of the French Economists, which I perceive will cost me many an hour before I comprehend their meaning in the first place, and in the next place form my opinion on the justness of their principles. I have not yet been able to procure Quesnai's original work. I can *understand* Turgot's treatise on the formation and distribution of riches, but I see no reason to admit his doctrines; but as to Mirabeau's "*Philosophie Rurale*," of which I have read a few chapters, I can scarcely attach a meaning to his terms.

May 9.—I have for two or three days past been under the influence of my periodic fit of appetite for poetry and composition. I have read with close attention Burke's two speeches on

American affairs; not at all with reference to the historical controversy, but in order to study this celebrated writer's style of composition. While I had Burke in one hand, I held in the other Sir Joshua's Discourses; endeavouring to apply to *my* art the admirable criticisms which he delivers upon painting. I have constantly referred to the liberal precepts which he urges with regard to the study and imitation of great masters; and I repose with confidence on the idea, that the general rules of excellence in all the arts are the same. Reynolds himself informs us that he received lessons on painting from conversation with Johnson upon poetry.

May 10.—This morning we finished Bacon's work "*De Dignitate et Augmentis Scientiarum.*" It is right to consider the profit I have received from the very careful perusal which I have given to this celebrated treatise. I believe it has benefited my mind in a very important degree. It has, indeed, added very little to my stock of information, except that I caught a few scattered and general sketches of the state of the sciences at that period; for it has taught me less than I expected with regard to the peculiar principles of the Baconian logic; and the arrangement of the sciences, upon which the composition of the work is founded, appears to me not only objectionable in many particulars, but, upon the whole, of very trifling utility. I have derived, however, from the treatise on the Proficiency and Advancement of Learning improvement of a different, and perhaps higher nature: at least I am disposed to imagine that, in frequenting so long the company of this illustrious man, I could scarcely fail to contract, by the mere contagion of sympathy, and by force of habit, some feeble portion of his dignified manner, and a certain degree of facility in the application of his enlightened principles. I cannot mortify myself so much as to believe that, in subjects of philosophy, my imagination has not received some enlargement, my temper been so far liberalised, and my taste refined, by the energy and eloquence with which he repeats so many varied pictures of the object, the extent, and the power of knowledge; when he persuades that the ultimate end of science is the increase of individual virtue and public felicity, and insists that this benevolent conviction, joined to the unbiassed love of truth, are the manly motives which justify scientific enthusiasm, and insure scientific success; when, from that lofty eminence on which he surveyed all the regions of learning, he describes the field of useful and of practicable inquiry to be as unbounded as the universe of nature; when he declares his noble confidence in the powers and perfectibility of genius, and piercing with an eagle eye the prospects of futurity, ventures, in those sublime prophecies of which we have already in part beheld the fulfilment, to anticipate the progress and discoveries

of the human race. It must likewise be remembered that, amidst all this generous enthusiasm, he is constantly aware that enthusiasm alone is inefficient, and that judicious good sense is an essential ingredient of genius; he anxiously reminds the philosopher that it is not his sport to soar among the clouds, but his business to labour on the surface of the earth; and at the very time that he inflames our emulation by clothing philosophy in attributes that belong to immortality, he domesticates her charms to our cooler judgment, by the admirable intermixture of those plain and concise maxims which an enlightened experience in study and an acute observation of the world had suggested to himself.

May 11.—To-morrow commences the summer session of the court; and I have come to a very positive resolution of devoting almost the whole of the ensuing two months to professional studies.

Habits of professional business, and even of professional study, are yet all to form; I must make them an object of particular reflection. The morning promenade of the Outer House may, I trust, be turned to some account; it ought to present inexhaustible materials of observation upon the means of excellence, and upon the risks of bad habits; and it surely furnishes an opportunity of practising the lesson which Reynolds so forcibly recommends, of studying our own art and profession by the minds of other men.

Having been appointed commissioner to take a proof (a new employment for me), I studied this afternoon for four hours the rules of parole evidence and the disqualification of witnesses: I read part of Erskine's Title of Probation, my notes from Hume's lectures upon this subject, and glanced over some parts of Buller's "*Nisi Prius*."

May 16.—I can look back on the manner in which I have occupied myself during the whole of this week with some satisfaction; for I have studied law very diligently, and allowed nothing to interfere with it, except the reading of Smith's "*Wealth of Nations*" with Lord Webb on Tuesday and Friday forenoons. I cannot say that my application to law this week has been as productive of information as it has been privative of all other acquisitions; for I do not feel that I have yet set heartily to it. My studies have been partly with reference to business before the court, and partly of a general nature; under the last head I include Erskine's Title of Probation, and half of the first book of Bell on Bankruptcy. How I long for to-morrow, to expand myself in the speculations of the "*Novum Organum*!"

May 24.—The account I have to render of last week resembles the preceding, which I deem rather a favourable symptom of amendment. My studies of law have been entirely general, to

the neglect of two session papers, the compilation of which I have idly procrastinated from day to day. I have studied something more of the bankrupt law, and begin to catch hold of some principles; and in consequence of attending the bar of the Inner House, I have been led to reflect a little on the proper style of pleading, but have not yet fixed my taste. I am rather inclined to prefer a close, elegant, didactic form; in which ornamental imagery is very sparingly indulged, and of which the predominating character is clearness, comprehension, and originality of argumentative arrangement; the language ought to be pure, perspicuous, and flowing; and as the sentiments most frequently and most effectually urged are of the satirical class, particularly contempt and indignation, the pleader should cultivate that manly, liberal, and apparently constrained expression of them which secures the sympathy of his audience.

We have been under the necessity of suspending our progress in the perusal of the "Wealth of Nations," on account of the insurmountable difficulties, obscurity, and embarrassment in which the reasonings of the fifth chapter are involved. It is amusing to recollect the history of one's feelings on a matter of this kind: many years ago, when I first read the "Wealth of Nations," the whole of the first book appeared to me as perspicuous as it was interesting and new. Some time afterwards, while I lived in England,* I attempted to make an abstract of Smith's principal reasonings; but I was impeded by the doctrine of the real measure of value, and the distinction between nominal and real price: the discovery that I did not understand Smith speedily, led me to doubt whether Smith understood himself, and I thought I saw that the price of labour was the same sort of thing as the price of any other commodity; but the discussion was too hard for me, and I fled to something more agreeable, because more easy. The next incident that I can recollect of this narrative is, the pleasure I received from finding in a pamphlet by Lord Landerdale, of which Professor Dalzel gave me a copy, that what had puzzled me appeared decidedly erroneous to him, and was rejected without ceremony. Mr Stewart also devoted an elaborate lecture to this curious subject; his refutation of Smith's argument appeared to me at the time demonstrative, but the principles he proposed to substitute were not quite so satisfactory. The subject has again come before me, and I hope, with Lord Webb's aid, not to quit it without making something of it. In utter despair, however, of conducting the investigation successfully without more materials than Smith furnishes, we have betaken ourselves to some treatises in which the doctrine of

* He thus appears to have read the 'Wealth of Nations' before he was seventeen years of age.—L. H.

money is examined in a more elementary manner. We are at present engaged with Rice Vaughan's little book.*

In prosecution of our Baconian studies, we read last Sunday the different prefaces and introductions to the "*Instauratio Magna*." To-day we began the "*Cogitata et Visa*," as an introduction to the "*Novum Organum*," by the advice of Mr Stewart to Lord Webb: he told him that Adam Smith used to say that the whole of Lord Bacon's views were to be found compressed in the treatise of "*Cogitata et Visa*." The whole of this evening, till I began to write this long article, I delighted myself in solitary meditation over a few pages of Bacon.

June 11.—Since I entered my last record, my application has been chiefly to law, and that in a desultory manner, which is alone practicable during the time of session. I have been directed in my different excursions not by the necessities of business alone, but by the occasional temptations of curiosity; in the indulgence of which I have even dipped into the repositories of English jurisprudence, where I have fancied myself enlightened and pleased by the manner as well as the substance.

I have gone on reading Bacon with Lord Webb, but our economical speculations have been much interrupted by the incomplete command which I at present possess over the disposition of my hours.

I have again been visited by the passion for composition and fine writing, and I feed the resolution, and mature the plan, of acquiring a habitual fluency of correct, forcible, and ornamental expression. With this view I have made out a list of the authors, in different languages, whose works comprehend the various models of taste and genius; and I have rioted an hour or two to-day in the enjoyment of one or other. I have made it a subject of particular and painful attention to form in my mind a conception of the proper mode of pursuing this study, and it puzzles me much where to point the medium which shall be equally distant from vitious imitation of any one author, and from a motley patchwork of inconsistent excellencies—where to mark the line of true elegance between affected simplicity and affected ornament. I will take care to describe the result as soon as I prove more successful.

June 21.—My law studies continue still to be occasional and irregular, which will never make me a lawyer; at least of that knowledge which I have the ambition to possess, and of that eminence which I aspire to reach. If I do not execute in part my schemes of systematic study during the ensuing vacation, all those magnificent hopes are unsubstantial and impertinent.

* 'A Discourse of Coin and Coinage, by Rice Vaughan, late of Gray's Inn, Esq., 1675.' On Mr Horner's copy of the book he has made this note, 'Written in 1623, and first published in 1655.'—L. II.

For a few days past I have been reading a little of Father Paul's "History of the Council of Trent;" and am highly delighted with the unembarrassed perspicuity of the narrative, the good sense and precision with which the various reasonings and views of the different parties are stated, and, above all, the sublime impartiality and temper which holds so fair a balance with such steadiness of hand. This perusal I have already felt so far profitable, not only by imparting improved sentiments of historical taste, but by leading to some personal comparisons of a still more interesting kind. The transactions, as well as the characters, by which the period of the Reformation was distinguished, suggest a very obvious application to the recent events by which the public mind has been agitated.

June 28.—This forenoon I read over by myself the treatise of Bacon entitled "*Cogitata et Visa*." It is an admirable specimen of his style, both in composition and in thought, and is more free of that quaintness and childish ornament by which he frequently spoils the finest passages in his works. It has very much the air of a finished performance; as there is great correctness in the diction, and a considerable degree of skill in the disposition of the parts. It contains little more than a hint of the plan of philosophical logic by which he reformed the sciences; but displays a masterly sketch of the state of philosophy in his time, and a bold delineation of those provisions which nature has made in the adjustment of human affairs for the indefinite progression of knowledge. After the perusal of this admirable treatise, I scarcely expect to find anything new in the pleasing and profound declamations of Condorcet and Dugald Stewart. If it be true that the compositions of Bacon are scarcely at all read in his native country, I could not devise a more effectual charm to revive a taste which ought never to have declined, than a just translation of the "*Cogitata et Visa*." When Hume denied this author the praise of eloquence, he must either have forgot that such a work issued from his pen, or that profound observations, clothed with enlarged sentiments and the images of a copious and exquisite fancy, will fully compensate the want of idiomatic purity or a rhetorical structure of periods.

July 15.—I have now commenced the studies of the long vacation; and the few days that are already gone have been passed in a miscellaneous and pleasing relaxation. Professor Pictet of Geneva passed through Edinburgh lately, and I spent two afternoons in his company: so far as his physiognomy and very general conversation could inform me, I imagine him to have a very active and perhaps ingenious mind, rather than a genius of a reflective turn. I ran through Sotheby's translation of Wieland's Oberon with the youthful rapacity which devours an Arabian tale; the composition of the fiction is both absurd and clumsy,

but there are parts which are executed with great warmth of fancy, and in which the translator has commanded all the varieties of rich expression. This afternoon I read De Lille's preface to the new edition of "Les Jardins;" which is disfigured by childish vanity, and by a dotard and querulous egotism, but contains some enchanting passages. I then read Boileau's "L'Art Poétique," in which I found less novelty than I expected, as I had never read it before; but his preface to his poems breathes a masculine strength of judgment.

But law must form my principal occupation. I have taken the forms of actions, and have already brought together in my head the materials of a short dissertation on the history of the summonses. I have no intention to commit it to paper, except as a very condensed note. I begin to perceive that, though all knowledge of municipal law must be sought for in the books of authorities, yet the system is not to be traced in the order of any of the books, but by an original arrangement, gradually and obstinately matured.

In the evening I walked with De Roche,* who, with a great portion of general intelligence, is very actively engaged in the study of the physical and medical sciences. He gave me some curious information with regard to the canton of Berne, in which he resided for some time.

July 30.—I have been reading a good deal since I entered the last notice, but not with the regularity which I have so often enjoined to myself, and always to no purpose. I still must plead guilty to negligence of law; I proceeded for some days with tolerable vigour and interest in studying the forms of process, till I found it necessary to write a paper which I had put off from time to time. This had no further effect than to stop my legal studies almost entirely; for the narrative of this paper was so long, and so disgusting, that after I finished it I laid the whole aside, and have done nothing since.

My studies in political economy (which I compare twice a week with Lord Webb, though the compass I take in is much wider than he has at present time for, and more in detail than it would be consistent with his plans of life to prosecute) have gone on with more regularity. The theory of metallic or coined money is my present subject; and while Seymour reads with me Rice Vaughan's admirable little treatise, to which we were driven in consequence of stumbling at Smith's fifth chapter, I am going through Harcourt Bodin, Lowndes, Locke, &c.

But I must confess that all my active enthusiasm has been employed on books of taste. The projects of historical composition are uppermost in my mind; the ambition for eloquence in pleading

* Dr De Roche of Geneva, then a student of medicine at Edinburgh.

being remembered only in the second place. But it is not in the models of the great historians that I have been lately purifying my taste and enlarging my conceptions of composition: I have read two or three tragedies of Corneille in Voltaire's excellent edition, and have alternately yielded my imagination to those magnificent swelling views of character which the poet has sketched, and then cooled this heroic fervour in the correct and judicious suggestions of the masterly critic. I have likewise read some passages of Pope's Moral Essays with more care and increased delight. The prefaces of De Lille to his several publications imparted to me, though often perused before, some new judgments and new feelings. I endeavoured to *study*, for it cost no effort to *read*, Marmontel's "*Poétique Française*:" there are some excellent observations, but all didactic books of general criticism are to me unsatisfactory and feeble, except those which great artists themselves have condescended to publish; Cicero's Dialogues "*De Oratore*," and Reynolds's Discourses and Notes on Fresnoi, are almost the only works of this kind to which I return with increased curiosity, and leave with increasing regret. I have thus endeavoured to sketch the manner in which I endeavour to inhale at the original sources those draughts of ethereal inspiration—"quæ veniunt in aurâ leni"—["which come in a gentle breeze"]. I am conscious of some feeble improvement; the dawn becomes gradually more clear and more bright; I discover excellences which I did not see before, and enjoy the perception of that species of beauty with a sentiment which I had not anticipated. I read over two days ago the oration of Cicero "*Pro Ligurio*," and felt myself in some slight degree capable of discriminating the delicacy, elegance, and masterly artifice with which that composition abounds. In a much slighter degree I fancied myself able to distinguish the beauties and effects of a picture which I saw the same day at Leith, and which is said to be the production of Luca Giordano. In the foregoing narrative of the works of taste which have recently passed through my hands, I have omitted to mention a small publication by Uvedale Price, which contains an essay on Mr Burke's account of Beauty, and a dialogue on the distinct characters of the Beautiful and the Picturesque. I received from both a considerable portion of entertainment, and was led to many reflections on subjects of taste in which I have a more immediate interest: it is of great importance to generalise our conceptions of excellence, and to bring all the great masters of poetry, of painting, and even of artificial landscape, under contribution to the improvement of prose composition.

September 6.—During this interval I have been reading much more constantly than for a long time, though not much more systematically; I have been entirely immersed in law, political economy, and history, and have scarcely felt a moment's inclina-

tion to read either eloquence or poetry. As to political economy, I have not yet arranged the subject of money, nor reduced to analytic order either the facts or the queries which I have accumulated. I have taken a cursory view of the reign of Elizabeth of England in Hume's agreeable narrative, and in the valuable Journal of D'Ewes: some economical speculations led me to this, but my attention was more forcibly attracted by the dawn of English freedom and of parliamentary privilege in the rude debates of the House of Commons. I have been hitherto utterly ignorant of Yelverton and Wentworth, those intrepid Puritans, whose independent character is equally marked by the fanatical innovations in which they deviated from the prejudices of their own age, and by those manly sentiments of liberty in which they rose superior to all prejudice. The history of the Puritans, and the gradual progress of their influence in the House of Commons, throws a strong and clear light on the nativity of the English constitution. * * *

Sep. 22.—I have lately spent two or three evenings in the company of James Mackintosh, author of the "*Vindiciæ Gallicæ*," who was in Edinburgh for two or three days, and lived almost entirely with Sidney Smith. To one resident in the stagnation or poverty of Edinburgh conversation, the *beaux esprits* of London are entertaining and instructive novelties.

November 23.—I have lately composed several papers for the Court of Session, and begin to feel an enjoyment which I did not expect from that state of mind which the investigation of a legal question induces. The analysis of an obscure generality, the application of subtle distinctions, the development of probability from a mass of evidence, the apprehension of a whole case in one simple view and in a broad light, not only summon the intellectual powers into activity, but impart, in a considerable degree, that pleasurable interest which rewards exertion. It would be important to examine in general the principles of logic, according to which those four processes of investigation might be conducted in the most efficient manner.

I ought not to have so long overlooked the notice of some views which have occupied my mind during the greater part of the late vacation. Though I become daily more attached to law as a study, I become daily more averse to the practice of the Scots court. There are certain circumstances positively disagreeable, both in the manner in which business is conducted and in the manner in which success is attained; and these disadvantages are rendered the less tolerable after comparison with the courts of the south. To speak out at once, therefore, whether it be foolish restlessness or ambition, I have for some time entertained serious thoughts of removing to another sphere of action, and of staking my chance in the great but hazardous game of the

English bar. It would take a great deal more patience than I have at present to commit to paper the various views in which this plan has presented itself to my mind; as it occurs daily to my meditation, another opportunity will present itself for recording those sentiments of which I should be glad to preserve the history. At present I shall only notice that I came some time ago to the resolution of paying a visit to London in the spring vacation, where, after a closer view of the scene, I shall form my final determination.

December 14.—Five hours and three-quarters at law (Hume's *Crim.* vol. i. pp. 306—390), comparing occasionally the texts of Blackstone and Hale. In the interval after dinner I took a cursory perusal of Burnet's biographical account of Sir Matthew Hale, which I had not read since I lived in England five years ago. It filled me at that time, I remember, with enthusiasm; I contemplate the prodigy of labour now with a more sober sentiment, not partaking less of admiration, but somewhat more of despair. I have at the beginning of this note set down five hours and three-quarters as the portion of this day which I occupied with law, and perhaps I should not have set it down if I had not silently given myself some credit for an effort: for though I begin now to follow out the details of jurisprudence with more interest in proportion as I have approached towards a systematic view of my general plans, yet there are still several subjects of which I cannot always resist the seductions. What then can I think or feel to be told that "Hale studied for many years at the rate of sixteen hours a day, and when he was weary with the study of the law used to recreate himself with philosophy or the mathematics!" I have heard from very good authority that when Hume was engaged in the composition of his history, he generally worked thirteen hours a day. These miracles are mortifying to me; for independent of having selected a profession in which labour alone will conduct to eminence, I am conscious that from plodding and judicious diligence I have the only chance of meriting excellence in any line: yet neither my mind nor body is equal to such Herculean achievements.

Dec. 30.—During the first part of the recess I have been lounging in some of the more pleasing walks of literature. I read Stewart's *Life of Robertson*, which is a very elegant and agreeable production, and contains one or two passages executed in Stewart's happiest manner. Upon the whole, I do not think him successful in biographical composition; his conceptions of character, though formed with comprehensive design, want that individuality to which the painter of portraits must descend. His genius for writing belongs to a higher class, but is confined to that; he is not qualified to be the first of an inferior class. This book led me to give some evenings to the study of Robertson's

style; in pursuit of which I read, with renewed and increasing pleasure, the second and fourth books of his *History of America*. Meeting accidentally with Dobson's *Life of Petrarca*, I was tempted to consult the original work from which it is abridged—the *Memoirs*, in 3 vols. 4to., by the Abbé Sade—and this of course led to the perusal of several sonnets and canzonés, as well as of many parts of the Latin works of Petrarca. These I had never seen before. They gave me very great pleasure, both on account of the intrinsic merit of his letters &c. in point of composition, and because they throw a broad and clear light over that delightful period in the history of letters when the taste for the writings of antiquity was just revived, and scholars regarded each precious manuscript that was successively recovered as an inestimable benefit to mankind. I should think that there are abundant materials for a historical sketch of the progressive recovery of the ancient writings, and I know scarcely a subject that would prove more interesting to scholars, as it would admit of so much collateral ornament from biographical anecdotes. Such a sketch, however, would probably appear to most advantage in a general account of the revival of letters—a noble subject, the neglect of which bears an imputation against the gratitude, as well as the judgment, of all those who in the present age owe the light and the blessings of literature to their indefatigable predecessors.

February 15.—I have been a good deal engaged in writing session papers, and in studying the points of law which they required. I become daily more reconciled to professional pursuits, and daily more resolved to remove the scene of my professional ambition to London.

My studies with Lord Webb have been languid in the “*Wealth of Nations*,” but persevering and productive in the “*Novum Organum*.” We shall finish it, I hope, before I leave town.

Every day I indulge myself a little, generally for an hour after dinner, with works of literature and models of composition. La Harpe's “*Cours de la Littérature*,” Goldsmith's prose writings, and Burke's inimitable pamphlets, are the books of this kind which I have most recently perused.

March 7.—This day Lord Webb and I read Lord Bacon, I am afraid for the last time; I go to London in a few days, and by the time I return he will be prepared to bid farewell to Scotland. We have not finished the “*Novum Organum*,” having got no farther than that part of the second book in which the author begins to illustrate the *prærogative instantiarum*; but we have worked very accurately through the whole of what we have read, and prepared ourselves tolerably well for the study of the Baconian logic upon an enlarged plan, by an attentive study of what may be called its grammar or rudiments. I must take some future opportunity of examining retrospectively the kind,

as well as degree, of improvement which these studies with Seymour have purchased; that it is considerable, I cannot entertain a doubt. Independent of the noble subject to which it directed my attention for so considerable a space of time, I must have learned something from the manner and habits of my companion. He is indeed very slow in apprehension, partly from what may be called a want of energy, or at least imagination, partly too from principle and voluntary habit; but then he possesses, in an eminent degree, the truly philosophic qualities of scrupulous caution, unconquerable patience, unclouded candour. From this crisis of our studies what different roads we are to follow! His life devoted to speculative labour and scientific accumulation; mine immersed, *si sic fata*, in the passing ephemeral details of professional activity. He has the prospect and the resolution before him of persevering through all the general reasonings of Lord Bacon's philosophy, and all the pleasing illustrations that can be culled from every field of science. I must content myself in that department with imperfect knowledge, and with the chance of assimilating some portion of philosophy to the mass of practical information, and of infusing something of the spirit of liberal science into the gross and unformed details of business.'

CHAPTER V.

AGE, 24-26.—1802-1804.

Takes up his Residence in London—The Impressions Received and Communicated to his New Circle—Remarks on Public Places—The King of Clubs—Sharp—Macintosh—The Commencement of the Edinburgh Review—Jeffrey—His Circle in London—His Intentions—Return to Edinburgh—Brougham—His Ardour and Ambition—Articles for the Review—Interest in the State of Europe—Charles Fox—Fears of Invasion—Military Services—Parting with Macintosh.

Soon after the middle of the month of March he accomplished his intention of removing to London. The impressions produced on him by the new scenes among which he was cast, and the projects and hopes which the busy world around him suggested, may be best told in the words of his own journal:—

'LONDON, *March 25*.—I have now been in London a few days, where I am come to form my decision with respect to professional plans. I shall not have an opportunity to see the interior of the courts, because those of Common Law are at present shut, and the proceedings in Chancery afford little information to a

spectator. But I hope to see a good deal of the society of lawyers, which cannot fail to furnish much matter for reflections of a personal nature.

As there is no reason why I should not be confidential to myself at least, it is proper I should confess, ere I forget it, that my resolution is almost matured, and was nearly so before I left Scotland. A conversation I had with Dugald Stewart gave at length a firmness to my own inclinations; and unless I see reason to believe it an imprudent sacrifice to ambition, I mean to enter myself in one of the Inns of Court before I leave town.

This morning I went to an exhibition of pictures, on sale at Bryant's in Pall Mall; they are the works of the great masters. The great works of science, and the models of literary composition, are made common to all latitudes of the globe by the art of printing; an Elzevir, or a stereotype edition of Virgil, is to be found in every town and village of Scotland, as well as in the great capitals of Europe. But the divine productions of genius in the art of painting are confined to the seats of opulence. I am entirely ignorant, perhaps fortunately so, of the art and phraseology of connoisseurship; but I receive a delight, which I can neither express distinctly nor analyse, from certain works which I have beheld in the several departments of the fine arts. York Minster, which I visited on my journey to town, and which I paced with considerable emotion for an hour or two, set my thoughts to work on the composition of orations and histories; and the same train of reflection was this day excited by some landscapes of Salvator Rosa and Poussin, and some portraits of Titian. The original creations of the human mind, in any one field of exertion, enlarge our powers of imagination; and correct our sensibilities in any other field in which we may be ambitious to strive.

The following passages from a letter by the 'Hon. James Abercrombie' to Lord Webb Seymour, of date 29th March 1802, afford some incidental notices of the first impression made by Horner on a portion of London society:—

‘LONDON, 29th March 1802.

MY DEAR SEYMOUR—I was very happy not only to receive your letter, but also to see Horner. You will doubtless be very anxious to hear what impression he has made on the people who have seen him. As yet, the only person to whom I have had an opportunity of introducing him is a very particular friend of mine of the name of Whishaw.† * * * He was very much pleased with what he saw of Horner, because he found him

* The present Lord Dunfermline, and late ‘Speaker’ of the House of Commons.

† John Whishaw, Esq. of the Chancery bar; afterwards one of the commissioners for auditing the public accounts.

well-informed, unaffected in his manners, and rational in his opinions. * * *

Mackintosh had mentioned Horner to Whishaw in terms of the greatest respect, and possibly he has done so to some others of the *literators* whom he will see before he returns to Edinburgh. You might be very certain that I would exert myself as much as possible to confirm Horner in his idea of removing to this place. It cannot be denied that our profession is in many respects odious and disgusting. It has, however, great merits; and among the number, the advantage of living in the metropolis holds a distinguished place. * * * Horner and I have formed a plan of passing two or three days at Cambridge; and I hope that nothing will occur to interrupt it, as there is at present an acquaintance of mine there to whom I should wish to introduce Horner, and who would show us the nature of the society at that place in the most sensible and agreeable manner. The opportunity that I have had of making further observations on Horner's character has only increased my very great respect for his talents and acquirements, and strengthened my desire of cultivating his friendship. When you find rational opinions and extensive information united with integrity, amiableness of disposition, and modesty in manners, the treasure is invaluable. I cannot for a moment doubt that Horner's fame will speedily be established; and if he feels disposed to persevere, he will probably be equally successful in his professional career.'

JOURNAL. 'March 31.—I find it quite impossible to keep a regular journal, as I once intended, during my stay in London; I shall therefore be content with noting down shortly, when I can find time, such particulars as are worth preservation.

I have been once to the Royal Institution, and heard Davy lecture on animal substances to a mixed and large assembly of both sexes, to the number perhaps of three hundred or more. It is a curious scene: the reflections it excites are of an ambiguous nature; for the prospect of possible good is mingled with the observation of much actual folly. The audience is assembled by the influence of fashion merely; and fashion and chemistry form a very incongruous union. At the same time it is a trophy to the sciences; one great advance is made towards the association of female with masculine minds in the pursuit of useful knowledge, and another domain of pleasing and liberal inquiry is included within the range of polished conversation. Davy's style of lecturing is much in favour of himself, though not perhaps entirely suited to the place; it has rather a little awkwardness, but it is that air which bespeaks real modesty and good sense: he is only awkward because he cannot condescend to assume that theatrical quackery of manner which might have a

more imposing effect. This was my impression from his lecture. I have since (April 2) met Davy in company, and was much pleased with him; a great softness and propriety of manner, which might be cultivated into elegance; his physiognomy struck me as being superior to what the science of chemistry on its present plan can afford exercise for; I fancied to discover in it the lineaments of poetical feeling.

I have occasionally attended both the Court of Chancery and the Cockpit. In the former I have heard Mansfield,* a vigorous old man, and Romilly, who stands at the head of the profession (as I am informed by every one) both in point of legal accomplishments, general information, and respectability. In consequence of a letter of introduction from Dugald Stewart, I have seen and conversed with him for a short time at his chambers. I understand he lived very much with literary men in the earlier years of his life, and at the same time gained high reputation as a draughtsman: it is highly gratifying to know that the two pursuits are not altogether incompatible. At the Cockpit, where a committee of the Privy Council decide prize appeals, I have heard Dr Lawrence, and the Attorney-General Law.

April 10.—This day I dined at the King of Clubs,† which meets monthly at the Crown and Anchor in the Strand. The company consisted of Mackintosh, Romilly, Whishaw, Abercromby, Sharp,‡ Scarlett,§ &c. Smith|| is not yet come to town. The conversation was very pleasing: it consisted chiefly of literary reminiscences, anecdotes of authors, criticisms of books, &c. I had been taught to expect a very different scene: a display of argument, wit, and all the flourishes of intellectual gladiatorship; which, though less permanently pleasing, is for the time more striking. This expectation was not answered; partly, as I am given to understand, from the absence of Smith, and partly from the presence of Romilly, who evidently received from all an unaffected deference, and imposed a certain degree of restraint. I may take notice of one or two particulars, which struck me as the characteristic defects of this day's conversation. There was too little of present activity; the memory alone was put to work; no efforts of original production, either by imagination or the reasoning powers. All discussion of opinions was studiously avoided: this could not proceed from any apprehension of unpleasant discord of sentiment, for upon the fundamental doctrines in religion and politics the whole company were certainly biased to the same side; neither could it

* Afterwards Chief-Justice of the Common Pleas.

† For an account of the 'King of Clubs,' see 'Memoirs of Sir James Mackintosh,' vol. i. p. 137.

‡ Richard Sharp, Esq.

§ The present Lord Abinger.

|| Robert Smith, Esq. See note, p. 115.

arise from a want of difference in opinion in deductions farther removed from first principles; that can never be the case with powerful understandings that have been separately employed. I can only explain the circumstance, therefore, from an erroneous fashion or taste in conversation; for I cannot help thinking that the candid, liberal, and easy discussion of opinions, is the most rational turn that can be given to the conversation of well-educated men; it keeps the mind in a course of perpetual instruction, as well as of discipline and regimen for the acquisition of those habits which form us to a manly and liberal philosophy. This style of conversation is no doubt attended at first with great difficulties; but the whole refinement of social intercourse consists in the imposition of restraints; all improvement is nothing but the removal of obstacles; and perfection is merely a relative term, to express the greater number of difficulties which it remains for us to surmount. (These general reflections I have here thrown out, because "the idea of a perfect conversation" has been very naturally suggested to my fancy by the scenes of which I have lately been a spectator; further reflection may enable me to decide how far my present idea is correct, and further observation to pronounce whether it is practicable.) I shall only remark further in this place, that between Sharp and Mackintosh, for example, there seems to me too much of assentation with respect to canons of criticisms, &c.; as if they lived too much together; as if they belonged to a kind of sect; or as if there was something of compromise between them. Their principles of criticism and taste appear to me quite just, and formed very much upon the French school; Racine and Virgil the models of poetical composition, and Cicero the prince of prose writers: at the same time they do not carry the principles upon which this judgment is founded to that cold and dull extreme which limits all excellence to correctness, and allows no relish for the wildness of untamed imagination, or the flights of extravagant eccentric genius. I rather apprehend that they even suffer this indulgence a little farther than is quite consistent with the other ruling principle: their admiration of Burke, for example, is not qualified enough; and their appetite for the nervous or flowing passages that may with toil be detected in the obscure folios of some of our old English writers, "*apparent rari nantes in gurgite vasto*—" ["a scattered few are seen swimming in the great flood"]—betrays unquestionably a palate not fully gratified with the milder relish of chastened excellence.

April 17.—This morning I at length wrote to my father, informing him that I had made up my mind as to the propriety of coming to the English bar, and stating to him the particulars of the plan which I have arranged.'

The following letter to Horner from Francis Jeffrey is intimately connected with the history of the former, as it gives an account of the state and prospects of a project in which they were both deeply interested:—

‘EDINBURGH, 9th April 1802.

DEAR HORNER—I have been cutting at my quill for these five minutes, pondering with the most intense stupidity what apology I should make for not having written to you before. The truth is—though it is anything but an apology—that I have written none of my reviews yet, and that I was *afraid* to tell you so. I began to Mounier, however, this morning; and feel the intrepidity of conscious virtue so strong in me already, that I can sit down and confess all my enormities to you. I must first tell you about the Review* though, that you may be satisfied it holds the first place in my affection. We are in a miserable state of backwardness, you must know, and have been giving some symptoms of despondency; various measures have been tried, at least, against the earliness of our intended day of publication; and hints have been given of a delay that I am afraid would prove fatal. Something is done, however; and a good deal, I hope, is doing. Smith† has gone through more than half his task. So has Hamilton‡. Allen§ has made some progress: and Murray|| and myself, I believe, have studied our parts, and tuned our instruments, and are *almost ready to begin*. On the other hand, Thomson¶ is sick. Brown** has engaged for nothing but Miss Baillie's plays; and Timothy†† has engaged for nothing, but professed it to be his opinion the other day that he would never put pen to paper in our cause. Brougham must have a sentence to himself; and I am afraid you will not think it a pleasant one. You remember how cheerfully he approved of our plan at first, and agreed to give us an article or two without hesitation. Three or four days ago I proposed two or three books that I thought would suit him; he answered with perfect

* The Edinburgh Review, of the origin of which an account is given in the sequel. The first number was published in November 1802.—L. H.

† The Rev. Sydney Smith.

‡ Alexander Hamilton, Esq.; afterwards professor of Sanscrit, &c. at Haylebury. In a letter to Mr Murray of 1808 Horner says:—‘I went down on Saturday last with Whishaw to Hertford, on a visit to Malthus and Little Hamilton. The Pundit is very happy, and gets very fat; in two years' time, I take it, he will have a figure in which it will be hard to say which is length, and which breadth, and which thickness. In a little comfortable lodging I found him with Sanscrit proof-sheets of a grammar, sitting in the most perfect content, and ready to discuss any proposition. He is very much liked, as he may well be, by everybody, for his sense and his temper.’

§ See note, p. 52.

|| See note, p. 19.

¶ The late John Thomson, M.D., professor of Pathology in the University of Edinburgh.

** Dr Thomas Brown.

†† Thomas Thomson, Esq., advocate.

good-humour that he had changed his view of our plan a little, and rather thought now that he should decline to have any connection with it. * * *

I am a little curious to hear more what you have been doing, and what impressions have been made upon you by the things you have seen and heard. Upon the whole, I hope you will be wearied of London by the end of this month, and will return to us with the good resolution of remaining. I cannot find out, either, whether you are to have anything to do in the House of Lords, and beg you would tell me as much of all these things as you think proper. For my part, I have no sort of news to repay you with. Brougham is going on diligently with his book. I have good hopes of it now, for he says it will not be ready for publication for two years at least to come.'

At this time he laid before his father, in the following letter, a view of his prospects and intentions in connection with his new sphere of action:—

'LONDON, 17th April 1802.

MY DEAR FATHER—The chief purpose of my visit to London was, that I might form a conclusive opinion with regard to the plan of coming to the English bar, on which we had formerly some conversation. I delayed writing to you upon this business until I should be able to give you the full result of my inquiries and observation.

Before I obtain your concurrence, I cannot give the name of resolution to the inclinations which I entertain; but I hope you will not regret it much, if at all, that every circumstance contributes to encourage me in the idea of removing to London.

The information I have now collected enables me to estimate tolerably well the comparative advantages of exercising the profession of law in the two countries; and after contrasting the chances of success, the mode of practice, and the value of the prizes that may be ultimately won, I have no hesitation in giving a decided preference to England. At the same time I am quite aware that, in my situation, the mere superiority of the English bar is not alone sufficient to justify a change: because, on account of the years which I have spent in Scotland, and which would otherwise have been employed in preparation for English practice, what would have been a wise choice at the beginning of life might not be equally advisable at this later period. This consideration would in general deserve much weight, but fortunately there are some circumstances at present by which it is almost entirely obviated: I allude especially to the present increase of Scots business in the House of Lords, which appears to me to open almost a certain prospect to any Scots lawyer who should take up his residence here, provided he has acquired

any portion of reputation in the Court of Session, and has made himself acquainted with its forms. After having revolved the scheme in my mind for several months, and with much anxiety, I am now satisfied that it is recommended to me not merely by ambition, which may have first suggested it, but by deliberate prudence. With your approbation, therefore, my plan is what I originally proposed: to enter my name now in the books of Lincoln's Inn; to remain for two years in Scotland, studying and laying myself out for practice, as if that bar were my ultimate object; and at the expiration of the two years, to take chambers in London, and serve the requisite number of terms. The advice I have received, particularly from Mr Romilly, is to practise in Chancery; the King's Bench is quite overstocked, and success is there much more precarious than in the Court of Equity. Indeed, from my own observation, the business of Chancery would prove more agreeable to my taste, and more suitable to the habits I have cultivated, than the practice of what is called *Nisi Prius* in the Courts of Common Law. Another circumstance need not be overlooked: that, by the present arrangement, the same judge presides in Chancery and hears the Scots appeals. I hope you will grant your consent, therefore, to my entrance at Lincoln's Inn before I leave town. The fees amount to £22, for which I will beg leave to draw. This is the whole expense of admission.

I am very anxious, my dear father, to relieve you from the suspicion, if you have ever given way to it, that I am influenced to adopt this plan by any fickleness of mind. The case, let me assure you, has been literally the reverse. I become daily more attached to the profession, which, under your direction, I made choice of; but constantly, in proportion as that attachment became more firmly settled, my views pointed more distinctly towards the English bar. This I had long felt and concealed, until a question from yourself, in the course of a walk we had one evening last summer, gave me hopes that such views would not prove entirely displeasing to you.

I find it impossible to communicate in a letter the various considerations which have gradually led me to the conclusion which I have at length formed. I must reserve all this until I have the pleasure of a conversation with you. In the meantime, be assured that I have not treated this subject as a matter of light and momentary fancy. It involves all the fortunes of my life, and, as such, has cost me during the last eight months much painful and anxious reflection.

That I might be sure of exhausting it, I have purposely considered it in all tempers of mind: sometimes, when I was disposed to be most sanguine of success; at other times, when I was in the humour to despond; as often as possible, when my

feelings were evenly balanced, and I could state the case to myself as if it related to a third person. In addition to this, I profited by the opinions of such of my friends in Edinburgh on whose good sense, as well as attachment, I have most reliance; Jeffrey, Allen, Lord Webb, and, beyond all, Murray. Before I left you, I had an express conversation with Mr Dugald Stewart, who was very decided in his advice.

I should be very much flattered if you will take an opportunity of talking with Murray about my affairs; he knows all my thoughts upon the subject, and has known them in their whole progress. I am not myself more solicitous about my own success than I believe him to be; and you have long been acquainted with his good sense, and prudence, and propriety. Except to him, and a very few others, I rather wish my plan to be for some time unknown in Edinburgh: it would only occasion troublesome and idle inquiries, and probably give me a worse chance of business in the Parliament House.

It is with a considerable degree of pain that I figure to myself the anxiety which all this may occasion to you and my dear mother; but I trust you will put some reliance in my prudence and steadiness, and that you will be ready to give a little indulgence to my ambition. I have long felt the ruling influence of one principle over my mind, which I trust will conduct me, at least not dishonourably, through this game of life: I mean the desire to render my success not unworthy of you, and of the advantages which I have derived equally from your tenderness and your prudence.

As soon as I hear from you, I intend to fix the day of my return. I have nothing to detain me longer in London; and indeed I have some business to finish in Edinburgh before the court meets.

My aunt and sister* join me in kind love to you and the rest of the family. I am, &c.

JOURNAL. 'April 20.—I dined at Mr Romilly's, and met a party composed of too many great materials to produce much effect: Bobus Smith,† Scarlett, Mackintosh, George Wilson,‡ Whishaw, and Smyth.§ Though Mackintosh and Smith associate together so much, their line of conversation is different; and the former does injustice to his own talents, for discursive and descriptive conversation, when he forces them out of their

* His eldest sister, who soon afterwards married George Leckie, Esq., a merchant in London.—L. H.

† Robert Smith, Esq., afterwards advocate-general in Bengal, brother of the Rev. Sydney Smith.

‡ For an account of Mr Wilson, see 'Romilly's Memoirs,' vol. i. p. 433. 1st edition.

§ William Smyth, Esq.; afterwards professor of Modern History at Cambridge.

way to an imitation of Smith's smartness, and point, and sarcasm. The conversation of Romilly and Wilson appears to be quite different from either of those two; never indicating a design to display, but flowing from the abundance of enlightened, refined, and richly-informed understandings. The consequence of all this yesterday was, that no one had a full unrestrained course, and the conversation was made up of occasional efforts by all, in which each seemed fettered by the presence of the rest. All this, however, is only in comparison of the expectations I had raised; for the scene was quite new to me, and was unquestionably distinguished by great talent. If I were to describe the merit of each by a single word, I should say that Scarlett shows subtlety, Smith promptitude, Mackintosh copiousness, and Romilly refinement. I mention in Romilly this distinguishing character, both because I have seen in him a remarkable degree of softness and elegance, and because I was rather hurt by a want of sentimental delicacy in Mackintosh and Smith. Upon the whole, Bobus is altogether the man of despotic talent in conversation that he has always been described to me; he has something of despotic manner too; his physiognomy, of which the forehead is admirable, indicates both.

April 24.—This day has been variously and agreeably spent, and, by one circumstance, rendered pleasant to me above many that I have lately passed. I have received a letter from my father, in answer to mine of the 17th, in which he accedes to my professional scheme in the most liberal and flattering manner. I passed the morning at Guildhall, attending a trial for *Scandalum magnatum*; dined at the "King of Clubs," where I met Mackintosh, Scarlett, Sharp, Rogers,* Maltby,† and Tom Wedgewood.‡ In the evening I went to Abercromby's chambers, where I met for the first time Mr Wintour.§

April 26.—This day I entered myself at Lincoln's Inn.

EDINBURGH.

May 3.—This morning I arrived at Edinburgh. I have a great many particulars with respect to London to take notice of, which I will set down at leisure, before I enter my account of my resumed studies. How delightful to return to the familiarity of home after the restraints of company with strangers!—to return to the tranquil pleasures of my library after the distraction and dissipation of varied society!

I look back with much satisfaction to the six weeks I have spent in London. It has indeed occasioned a long suspense of

* Samuel Rogers, the poet.

† The Rev. Dr Maltby, the present bishop of Durham.

‡ The son of Mr Wedgewood of Etruria, in Staffordshire.

§ The Rev. Henry Wintour.

study; but my mind has not been inactive in the accumulation of materials, and I have formed those definite arrangements with respect to my future plans which will render my past studies most useful to myself. In this respect the month that has just elapsed forms a sort of era or crisis in my life. In addition to this important event, my visit to London opened a new field of society, in which I met with many interesting acquaintances, and from which I shall be able to select a few valuable friends. I had an opportunity, likewise, of observing a few of those particulars which the scene of a vast metropolis presents to a speculative and reflecting mind: and I have had, above all, the advantage of knowing, in a general way, the ground upon which, after having retired for a while to a distance, I am to pass the active days of my life.

From the irregular manner in which this Journal has been kept, I have preserved no very distinct record of the gradual growth of my ambition for the English bar. The early and feeble seeds from which it has sprung at last to maturity and vigour were received into my mind several years ago, while I lived in England with Mr Hewlett. But at that time there was nothing around me to feed such sentiments; I had no acquaintance with the English barristers, who might have either encouraged me in the plan by their advice, or have led me to encourage myself by lowering the English bar to my observation, and presenting it in a more familiar aspect. Besides, at Shacklewell I was entirely without associates of my own age and pursuits; and I naturally longed to return to Edinburgh, and resume my post among the contemporaries with whom I had already entered on the career of emulation, study, and activity. I felt likewise in a very great degree the love of home; I could not reconcile myself to the idea of exiling myself from my father's house; nor did I feel the justness of a remark, in which I distinctly recollect Mr Hewlett having one day predicted to me, that I should come, like other men, to acknowledge this to be a youthful sentiment, which, without any abatement of affection, is sacrificed, after a certain age, to the schemes of an independent establishment. I may now recognise the truth of this observation; but at that time I felt the sentiments of domestic attachment in their predominating force. I cannot accuse myself in the least of any decay in these feelings; yet others, more immediately personal, have gained the mastery. But the idea of the English bar, though thus resisted, was not entirely subdued. It frequently recurred, and was sometimes favourably received; particularly during my dreams of ambition, and in my meditations on the futurity that lies on this side of death; and chiefly, perhaps, in consequence of the intimacies which I have successively formed with the young Englishmen who have come to the university of Edinburgh to finish their education. All

these occasional encouragements, accumulated one to another, formed a bias tolerably strong and distinct; which became daily more and more confirmed after I had been called to the Scots bar; partly by the observation I made on the practice of that court, and partly by the advice I received after I began to communicate my imperfect schemes to a few friends.

May 17.—After so long an interval, I shall not say of entire idleness, but at least of habits very different from those of study, I recover but slowly the practice of application. Had I returned to the pursuits of general philosophy or literature, I could have made the transition at once; but the composition of law papers is so repugnant to my taste, that I submit with all the struggles of a novice to his discipline and penance. I am in training, however, towards as strict a course of study as the necessity of attending the Parliament House will admit of, and as due a mixture of legal and economical reading as is consistent with the unavoidable distractions of occasional business. I hope nothing will prevent me from keeping a regular and very full journal, as the remainder of the time I shall spend in Scotland ought to prove a critical period of my education. The great duty of self-improvement and of intellectual culture, with reference to those active scenes in which my life is to be passed, occupies frequent and large intervals of my present meditations; and I am anxious to arrange, in one vast systematic picture before my imagination, the labours of professional preparation, the duties of private benevolence and influence, the possible contingencies of political activity, and the certain relaxations of literature and philosophy. I keep in a separate memorandum book a set of short notes, in which I record from day to day such reflections as occur to my mind on these important views; these memoranda I may enlarge from time to time in the present Journal. I have prefixed to the other book of notes a quaint but expressive title, composed of two phrases that are the favourites of Lord Bacon; *Georgica Animi, et Fabrica Fortune*.*

The whole of this forenoon I was engaged in examining the papers of a process, and adjusting the shape in which an additional one should be composed. In the evening I visited the Royal Society, where I heard Mr Stewart read the first part of a biographical sketch of Dr Reid.

May 18.—From not rising early, and having a petition to attend at the bar, this morning passed without any legal study. I walked two hours with Brown,† whose conversation I have always found an agreeable mixture of metaphysical subtlety, elegant literature, and unaffected benevolence. I then spent the two hours that re-

* It is difficult to convey their meaning in English. An approximation is—Culture of the mind, and command over fortune.

† Dr Thomas Brown.

ained before dinner in skimming the prose essays of Cowley, which I had often heard very highly commended for the style; in this respect I was so much gratified by the genuine vein of English idiom, as well as by what appeared to my ear in many passages a sweet and flowing melody of composition, that I have resolved to read the volume over again three or four times, till I fix some of those beauties in my memory, and accustom my ear to the tune. Since dinner, I have worked hard for three hours on a few pages of Quesnai's "*Analyse du Tableau Economique*," printed in the *Physiocratie*. I am still repulsed by the difficulty of the subject, or the faults of his manner, or the weakness of my own intellectual powers; but I have commenced a regular siege, and mean to proceed methodically by lines of circumvallation. I keep in a separate set of notes a diary of my tactics. By persevering, with patient and painful thought, to examine the reasonings of Quesnai, and by a careful trial of his mode of procedure by those views of philosophical logic which I have superficially learned in Lord Bacon's writings, I trust I shall ultimately make out an opinion as to the truth, or error, or mixture of both, which prevails in these writings of Quesnai and his disciples.

May 19.—Of this day I can give no better account than that I worked as yesterday, and with little farther progress, on the same pages of Quesnai's Economical Table. I can make little or nothing of it. It is some consolation to recollect what Lauderdale once told me, that he had repeatedly left the study of the *Tableau Economique*, cursing himself for a blockhead. I scarcely entertain a doubt that the mode of reasoning in which it is conducted involves some fundamental mistake; probably in the misapplication of a species of logic and evidence belonging to sciences of a different kind. I may be assisted, perhaps, in ascertaining this, by examining those writings which Quesnai produced on the general views of philosophy; such as his preface to the *Memoirs of the Society of Surgery*.

I passed some time in rhetorical exercise; committed to memory some passages of Cowley, particularly that splendid portrait of Cromwell.

May 20.—Law still most unpardonably neglected at home: before I leave the Parliament House in the morning, I rather make it a rule to hear one or two cases advised. The scene seldom fails to suggest some useful observations. I mean to make notes of such remarks; they may at some future period be of service.

Worked still at Quesnai. My notes grow voluminous, yet I cannot solve the puzzle.

My rhetorical reading this day consisted of twenty-seven chapters of Cicero's third book, "*De Oratore*." The first sentence of cap. 25 was most to my purpose, for it contains almost the whole

theory of fine writing. It led me particularly to reflect on what is called *relief* in composition, as well as in painting; and to aim at catching a just impression of what is designed by that technical expression, and of the rules by which an artist should be guided in order to secure it: a few notes on this subject I have put down on a separate paper.

June 8.—This interval has been employed almost entirely in professional avocations; in one case I spoke before the General Assembly, and I have written two papers for the Surgeons, which I ought to have done long ago.

A few occasional opportunities of relaxation have been greedily devoted to more pleasing pursuits: the study of English diction in some of the prose works of Milton and Cowley; the refreshment of scientific details in conversation with Allen, Kennedy, and Seymour; and the contemplation of my own schemes and prospects in a solitary evening walk by the sea-side.

Independent of my studies in law and political economy, there are two intellectual accomplishments which I am resolute to cultivate. One is, the command of appropriate and elegant language both in writing and speaking; half hours may be found every day that would otherwise be lost, and may usefully be employed in culling beauties of expression, or contemplating the models of composition; and indeed my half hour in this pleasing and indolent occupation is too easily found, and too often exceeded.

The other intellectual acquisition I have in view is, a ready and comprehensive talent of reasoning: one's ambition is often excited by circumstances that present themselves fortunately, and the manner of the present master of the Rolls,* as a legal reasoner, has given me an idea of an excellence which it may be practicable to acquire. "Il y a des secrets dans l'art de penser, comme dans tous les autres arts"—["There are secrets in the art of thinking as in all other arts"]—is a maxim which I read long ago in Leibnitz, and which from that moment has perpetually recurred to me. I wish to get at these secrets by systematic study, and by a comprehensive review of the rules of reasoning and kinds of evidence that belong to different inquiries. I shall be much aided in this by my acquaintance with Bacon's writings; an intimacy which must never be relaxed if I mean to carry high views through life.

As preparatory to some notices of the Edinburgh Review in his Journal, it may be appropriate here to give the reader two passages from his correspondence relating to the same subject:—

* Sir William Grant.

'1st September 1802.*

Our Review goes on tolerably well; in consequence of Constable's own arrangement, it is not to appear till the 1st of November, but more than half the first number is already printed. I wish you would advertise the publication in some of the Paris newspapers or journals, in the manner that you shall judge most likely, if there is any chance to excite a little curiosity about it. Jeffrey has written three or four excellent articles, and Brougham is now an efficient and zealous member of the party. We regret your loss to a degree that I shall not express to you, though we do not altogether despair of receiving a few short critiques on such foreign publications as you happen at anyrate to read with care. I particularly wish we had had from you a review of Ware's strange paper on the Blind Boy Restored to Sight. Brougham has selected from the same volume of the Philosophical Transactions Herschel's discovery of the sympathy between the spots of the sun and the prices of wheat in Reading market.'

'7th November 1802.†

'You will not be surprised that we have given a good deal of disappointment by the temperate air of our politics; nothing short of blood, and atheism, and democracy were predicted by some wise and fair ones as the necessary production of our set. We shall go on to another number with considerable spirit, as a second edition of the first is in the press already: the first impression was 750, and as many more are to be printed. By all means let me know whatever you hear said of it—good, bad, or indifferent; this is the main pleasure of such publications, and will indeed be our only recompense, as we give the manuscript for nothing.

Brougham has concluded a bargain about his book with Longman, who has been here making purchases of that kind: he talks of sending it to the press in about two months. The title "An Inquiry into the Colonial Policy of the European Powers." That it will do him great credit I have no doubt; I hope it may be the means of introducing him into a respectable line of political connections. Old Liverpool wrote himself into notice by a reasonable, though puny, pamphlet on the Rights of Neutrals. Should an active scene be opened to Brougham, I shall tremble with anxiety for some time, though it is what I very ardently wish: his information on political subjects, especially in some departments, is now immense; his talents are equal to the most effective use and display of that knowledge. But his ardour is so

* From a letter to Allen, then in Paris.

† From a letter to James Loch, Esq.

urgent, that I should be afraid of his being deficient in prudence. That he would ultimately become a leading and predominant mind I cannot doubt, but he might attempt to fix himself in that place too soon, before he had gone through what I presume is a necessary routine of subordination.*

JOURNAL. 'September 30.—I finished a few days ago an account and criticism of Thornton's book on Paper Credit for the Edinburgh Review; except three very short articles—Irvine on Emigration, Christison on Parish Schools, and an anonymous pamphlet on Country Banks: it is the only contribution I have prepared for the first number of that publication. This Review was concerted about the end of last winter between Jeffrey, Sydney Smith, and myself. The plan was immediately communicated to Murray, Allen, and Hamilton; Brown, Brougham, and the two Thomsons have gradually been made parties. The analysis of Thornton cost me a considerable degree of trouble, but this labour has served to break up the ground in one of the most necessary fields of political economy. I have given the review to the press in a very rude form, although my aim was to mould the irregular materials of the original work into a useful arrangement: my style of writing is too formal, and not sufficiently correct.*

November 20.—Before I proceed to speak of my own studies, I shall make a short memorandum with respect to the reception which the first number of our Review has met with in Edinburgh, for we have not yet got an account of its fate in London. Upon the whole, I do not think we have gained much character by it; it is considered as respectable enough in point of talents, but the severity, in some of the papers it may be called scurrility, has given general dissatisfaction. In the next number we must soften our tone, and be more indulgent to folly and to bad taste. Jeffrey is the person who will derive most honour from this publication, as his articles in this number are generally known, and are incomparably the best: I have received the greater pleasure from this circumstance, because the genius of that little man has remained almost unknown to all but his most intimate acquaintances. His manner is not at first pleasing; what is

* The following are the articles which were contributed by Mr Horner to the first number of the Edinburgh Review, published in November 1802:—

1. 'An Inquiry into the Causes and Effects of Emigration from the Highlands and Western Highlands of Scotland. By Alexander Irvine.'
2. 'The General Diffusion of Knowledge one great Cause of the Prosperity of North Britain. By Alexander Christison.'
3. 'The Utility of Country Banks Considered.'
4. 'An Inquiry into the Nature and Effects of the Paper Credit of Great Britain. By Henry Thornton, Esq. M.P.' The only article contributed by him to the succeeding number was a review on 'Principes d'Economie Politique, par N. F. Canard.'—L. H.

worse, it is of that cast which almost irresistibly impresses upon strangers the idea of levity and superficial talents. Yet there is not any man whose real character is so much the reverse; he has indeed a very sportive and playful fancy, but it is accompanied with very extensive and varied information, with a readiness of apprehension almost intuitive, with judicious and calm discernment, with a profound and penetrating understanding. Indeed both in point of candour and of vigour in the reasoning powers, I have never personally known a finer intellect than Jeffrey's, unless I were to except Allen's.

The four months of this winter session (the last I am to pass in Edinburgh, where I have enjoyed such an uninterrupted course of happiness) will be engrossed by a variety of miscellaneous labours. I have been forced to crowd a greater number of occupations together than is consistent with a judicious plan of study, partly from the necessity of performing certain engagements with which I have fettered myself, and partly from my desire of profiting by the last opportunity I shall ever enjoy of academical instructions. Of the former class of tasks I reckon my contributions to the Edinburgh Review, my occasional attendance at the meetings of the Chemical Society, and the discharge of such legal business as may occasionally be committed to me: of the latter sort I reckon a third attendance on Mr Stewart's political lectures, a regular attendance at the Speculative Society, and a course of fluxions and the higher geometry under Mr Playfair. Some of these studies and duties will require periodical labour: the rest must be executed, in their turns, in the course of a continued application to business.

I wish to attend the Speculative Society very regularly, because I am satisfied that I have already derived great benefit from the exercises of that place, and still entertain hopes of receiving further improvement. In general, I shall leave myself, as I have hitherto always done, to the extemporaneous efforts of the evening; but it would be very advantageous to prepare myself upon one or two of the best questions: this, I observe, is the plan which Brougham follows.

I attend Mr Stewart's lectures on political economy, that I may complete my notes of his course, and that I may impress myself fully with the general manner in which he considers a subject, which, if my visionary prospects should ever be realised, will occupy in some degree the last part of my life; and which will continue to amuse and exercise my mind, though I should remain for ever in obscure inactivity.

My mathematical studies, which I am about to resume for a little, after an interval of five years, form the most striking deviation from my appropriate pursuits. It is not with a view, however, to mathematical knowledge merely, or even to a future

intimacy with physical science, that I have resolved to place myself under Mr Playfair; but as forming a necessary part of that survey, in which I have occasionally been employed for two or three years past, of the general field of the sciences, and of the logical methods that are suited to various investigations. The study of Lord Bacon's writings is still uppermost in my mind, and that with an ultimate and steady view towards the philosophy of legislation. The calculus of fluxions and the theory of curves may appear remote enough from such an object; but my intention is, to get a knowledge only of the instrument, and of the principles upon which it works, not to learn the manual and ready use of it. It is as a chapter in the great system of logic that I wish to understand the transcendental geometry; and it is with my eyes bent upon the philosophy of politics and law that I have always been studying that system. I am quite sensible, however, of the truth of what Mr Playfair remarked (when I gave him a general hint of the views with which I was to enter upon this subject), that the principles of the instrument cannot be clearly understood, or even its construction fully seen, until a person has put his hand to it, and acquired a tolerable dexterity in the use of it. I must no doubt submit to the condition; but if I keep my purpose vigilantly in remembrance, it may perhaps exact itself less strictly than upon one whose primary object is different. In the same conversation Mr Playfair used another illustration, borrowed from that science which he has lately prosecuted with so much ardour, and adorned by one of the most elegant compositions that has ever appeared in physical philosophy:* the study of the higher mathematics, for the purpose of tracing their principles and general relations, is like traversing a great range of mountains; the individual objects are themselves so great, that you must ascend to a great elevation before you can observe the chain. The image is fine and appropriate; it will not, however, be necessary for me to collect all the curious minerals with which the valleys may abound, but to make for the height with all expedition as soon as I have accurately traced the great lines of stratification.

In the remaining articles, which I consider rather as tasks than as studies which I would now willingly undertake, I must make the performance of duty subservient to intellectual exercise. Law papers and speeches may strengthen and correct my habits of legal business; the Chemical Society may in a slight degree give me some practice of chemical discussion; and the reviews may refine and quicken my habits of composition.

Nov. 30.—This day I made a slight deviation from my regu-

* The Illustrations of the Huttonian Theory.—L. H.

ar plan, in order to peruse the account of Reid's Life and Writings by Mr Stewart. It proved, however, a less remote digression than I thought of, as it contains some important reflections on the proper method of philosophising, which in a great measure forms the general object to which I have devoted this winter. If Dr Reid understood the spirit of the inductive logic so fully, and prosecuted it so faithfully, as Mr Stewart has represented him, the study of his writings will greatly facilitate my future plan; and I must at least include a perusal of them in the execution of my general schemes. I read them formerly, but without any such purpose. Political science can only be prosecuted after the manner of the Baconian logic, and the practice of that must be most effectually learned from good models; it will be of inestimable value, indeed, if to those we already possess in some of the physical sciences, may be added existing models of philosophical investigations relative to mind. But farther, political science ought to be erected on the philosophy of the human mind as its basis; and the study of what has been ascertained in the latter is the only introduction to discoveries in the former. These are great truths, of which I am apprised rather in the gross than specifically; by a patient study of the principles of logic, and by a sedulous acquisition of what has been already performed in the science of individual man, as well as in that of politics, I must labour to define their extent, and to trace their mutual relations. The remark of Mr Playfair with respect to the study of the geometrical methods, will equally apply to those of moral science; and it is necessary to traverse minutely the individual objects, before we can hope to contemplate their relative position.

In the composition of Mr Stewart I have pitched upon two passages which I shall set down here, because they awakened a train of personal reflections:—

"It is with no common feelings of respect and of gratitude that I now recall the names of those to whom I owe my first attachment to these studies, and *the happiness of a liberal occupation, superior to the more aspiring aims of a servile ambition.*"*

Sentiments of this import exert a kind of illusion over me, which might prove fatal to my professional schemes; but if duly tempered, cannot fail, by being habituated in my thoughts, to impart consistency and purity to that mixed line of activity and speculation which I have, too fondly perhaps, chalked out for myself.

"But I, too, have designs and enterprises of my own; and the execution of these (which, alas! swell in magnitude as the time for their accomplishment hastens to a period) claims at length an

* Stewart's Biographical Memoirs, quarto, 1811; Life of Reid, p. 425.—L. II.

undivided attention. Yet I should not look back on the past with regret, if I could indulge the hope that the facts which it has been my province to record—by displaying those fair rewards of extensive usefulness and of permanent fame which talents and industry, when worthily directed, cannot fail to secure—may contribute in one single instance to foster the proud and virtuous independence of genius; or, amidst the gloom of poverty and solitude, to gild the distant prospect of the unfriended scholar, whose laurels are now slowly ripening in the unnoticed privacy of humble life.”*

After this date there is no entry in Mr Horner's Journal until the 2d of April 1803; and from that time there are only occasional notes, at distant intervals, during the three following years. The Journal ceases entirely on the 23d of June 1806.

About this time he was getting the family arms cut upon a seal, and there being no motto, he adopted one—‘Nitor in adversum.’† It is probable that he had in his mind the following passage in Burke:—‘I was not, like his Grace of Bedford, swaddled, and rocked, and dandled into a legislator; “Nitor in adversum” is the motto for a man like me.’‡—[L. H.]

The following extracts, from a letter to Mr Loch of 12th December, show a lively interest in the momentous juncture in European politics to which it refers:—

‘I am much interested by your notes of political intelligence; never was there a period when one, who cares very little about men or parties, except as connected with the fate of leading objects, ought to feel a more lively curiosity: we are surely at a moment of crisis. The question of peace or war, except as determined by that of practicability, is surely far from being quite clear; if there is any foundation for what is called the doctrine of the balance of power, we have not, since the days of King William, seen an era when the application of that theory to existing circumstances was more important. Fox's second speech afforded me much pleasure; the older that man becomes, he seems to acquire a greater dignity of character—the opportunities of retirement seem to have conspired with the growth of years in cleansing his fine understanding of that intemperance by which it was often clouded, as well as in leading him to those comprehensive and philosophical views of political transactions in which he appears to have been deficient in the early part of his life. For a long time I have not been so pleased with any

* Life of Reid, p. 531.—L. H.

† From Ovid's *Metamorphoses*. It may be freely translated—‘I strive against difficulties.’

‡ ‘Letter from the Right Hon. Edmund Burke to a Noble Lord, on the Attacks made upon him and his Pension, in the House of Lords, by the Duke of Bedford and the Earl of Lauderdale.’—*Burke's Works*, vol. vii. p. 397.—L. H.

circumstance as the observation of this refinement of Fox's manner in Parliament, coupled with the anecdote you give me of the lively interest he takes in the political events of the day.* Has anything more been reported lately about his *history*? Has the *second* speech been published? Send me a particular account of the debate on the Estimates, especially of Fox's leading positions and views of the subject; such, I mean, as the newspaper reporters never think of seizing.

I have another commission for you, which I beg you will set about without loss of time, if you have any time to spare. This you may do the better, as it will not carry you out of your own chambers. I am engaged as a junior counsel in the Aberdeen case; the trial of the officers and soldiers for having shot some people last king's birthday. Now I want very much to know what English cases there are on homicide by soldiers on duty, and on homicide by soldiers without proclamation under the Riot Act. I have looked into the last edition of Hawkins (Leach's), and do not find an allusion to such a point; though in our more limited code of criminal law we have a considerable number of such cases, from that of Captain Porteous downwards.

Have you good authority for your anecdote of Lord Grenville and the poor-laws? I should like to believe it. If you have seen anything published on that subject lately, let me know: I have got a paper to write during the holidays on a very general question, which has excited a good deal of interest among the tenantry and landed gentlemen—whether, under the existing Scottish acts, relief was legally afforded during the scarcity to the industrious poor!

You will be apt to infer that I have with all this much law business on hand; but happily it is by no means so, as I have no time for it; what I have got is fortunately, as you see, of a pleasant kind. But as this is my last winter of Edinburgh College, where I have spent so many useful and happy years, and where I could very agreeably spend my lifetime, I have taken the opportunity of attending Stewart's political lectures and Playfair's third class on the higher geometry. With my share of the Review, you may guess I have quite enough to do.'

LONDON.

JOURNAL. 'April 2.—I have now been about a fortnight in

* The following passage about Fox occurs in the letter to Mr Allen quoted above:—'How much I envy you the opportunities you have had of being with Mr Fox! Is your previous idea of that character varied at all (I do not mean lessened) since you have surveyed it with your own eyes, or has it received no other change than that of being more definite? I have generally understood that his simplicity is what is most striking to those who are introduced to him already full of admiration at his other great qualities.'

London, where I am at length fixed for life. But I have had no leisure to form any immediate plans of study, having been occupied for more than a week with some business before a committee of the House of Commons. Yesterday I made my first speech in England: the subject was humble—manure, and a turn-pike road. Such a committee is not a very formidable audience to address.

I must now set myself to write a few articles for the *Edinburgh Review*, of which engagement I heartily wish I were rid.*

April 3.—This morning I passed at Whishaw's chambers, where I was introduced to Dumont,† and enjoyed a conversation of three hours. I mark the date of my introduction to Dumont, because he is a remarkable person, and I may perhaps have it in my power to know him well. He appears to be at present an excellent composition of the English and French qualities for conversation, which is just saying that he is a Genevese without the defects of a Genevese understanding, curious research about trifles, unseasonable sensibility, and a passion for theory and system.

April 9.—I am returned from Mr Adam's‡ cottage in Richmond Park, where I have spent two days. A delightful situation! A delightful family! An uninterrupted flow of cheerfulness, without affectation and without noise. It is in this domestic or patriarchal character that Adam appears to most advantage. At present he takes to the country with all the playfulness of a schoolboy, escaping from the bustle and toil of the election committees.

April 10.—Began to read English law—two hours and a-half; ran through three or four chapters of Blackstone's second volume on Real Property.

April 11.—Three hours at Blackstone—one before breakfast.

April 12.—Four hours and a-half at law; began Coke upon Lyttleton, and read the first section. Coke seems very wandering and digressive; Lyttleton most distinct and precise.†

LETTER TO MR MURRAY.

'LONDON, 20th May 1803.

MY DEAR MURRAY—I heard of your safe journey as far as York, and take it for granted you got well home.

* Mr Horner contributed to the third number, published in April 1803, a review of 'Essays on Miscellaneous Subjects. By Sir John Sinclair.' To the fourth number he contributed—

1. 'Thoughts on the Restriction of Payments in Specie at the Banks of England and Ireland. By Lord King.'

2. 'Speech of Mr Mackintosh on the Trial of John Peltier for a Libel against Napoleon Bonaparte.'—L. H.

† M. Etienne Dumont of Geneva.

‡ The Right Hon. William Adam, subsequently Lord-Chief Commissioner of the Jury Court of Scotland.

So war is at length declared, and I suppose you will have seen the papers laid before Parliament before you receive this. All the world is going to the debate on Monday, which it is expected will last two days. There will be great difficulty in obtaining a seat, but I am to make the attempt with two very agreeable companions—Mackintosh and Lord Webb. If we get into the gallery, their conversation will lighten the ennui of waiting seven or eight hours. Pitt is certainly to come forward; and he is still so much connected with Grenville on the one hand, and Addington on the other, that there are, as it were, four parties, all of whom must be heard. Fox is gone to St Anne's Hill for a day or two, but is to meet his troops on Sunday evening at Parloe's. The impression which the papers have made is various: many people, who have a profound contempt for the doctor, think he has made out a better case than they expected; others that he has exactly made out the case of the Grenville party. I am studying this very critical and momentous question with as much anxiety as I ever investigated any point of mere speculation, a trouble which I have hitherto very seldom taken with any of my political opinions. That you have perhaps suspected all along from my confidence.

Windham attacked the minister most fiercely last night; in a speech of indignant self-defence, he asked if he had not given the House eight out of the nine motions which the honourable gentleman supported! The idea of the *doctor* having given the House eight *motions* tickled the whole patient so irresistibly, that he was made quite angry. Kinnaird* laughed so much louder than the rest, that he turned towards him and said he claimed the protection of the chair; if the gentleman had anything to object to in his conduct, he begged him to do it on his legs. Jekyll is a mischievous fellow; he says that Grey, in wording his motions, had duly attended to the decorum of professional expression; he had moved for the papers relating to the retention and evacuation of the Cape.

Tell me how my dear Jeffrey looks in his wig! I propose he should be engraved in that attire for the next volume of the Edinburgh Review. I shall write to him and to Smith to-morrow. Pray write to me very often. Affectionately yours.

That he was disappointed in his project of hearing the debate, appears in the following extracts from a letter to Mr Thomson of 24th May:—

'I have inquired about Bentham's tracts, of which you wish to have a collection: they are very scarce, and I have only been able to get one. I shall not, however, despair of success, as I

* The Hon. Charles Kinnaird, afterwards Lord Kinnaird.

shall soon have a footing, if I go on, in every bookseller's shop and stall in and about London.

I have seen a good deal of Mackintosh since I came to London; he is at present quite full of his expedition to the East, and of his schemes of study there. He carries out such a library with him as never, I presume, was known in Asia; for his plans of metaphysical and political reading it is admirably selected. He has fortunately no desire to make himself particularly acquainted with either the language or the antiquities of Hindoostan; but he has got permission from the Board of Control and Directors to circulate, under their authority, statistical and political queries among all the servants of the Company in the different establishments. This may produce a little. In a few days the author of "*Vindiciæ Gallicæ*" is to receive the honour of knight-hood!

You are indebted for this letter to a severe disappointment I met with this evening in not getting into the House of Commons. A great display is expected on account chiefly of the nicety and various embarrassments under which the question must present itself to more than one of the parties.* They are now in the very heat and pride of the debate—twelve o'clock. After waiting all the morning, I got no farther than the door of the gallery. Everybody here seems to be of one mind as to the justice of the war, in respect of the case (as we lawyers may call it) that this country can make out against Bonaparte; but the *policy* of war at the present juncture is a different question, of which people take various views.'

JOURNAL. 'May 28.—At Mr Grant's,† Russell Square; met for the first time the Master of the Rolls‡ and Wilberforce: the former a silent, but very good-natured man; the latter equally good-natured, and more talkative. Mackintosh was of the party, and was of course the great entertainer.'

A letter to Mr Reddie, of 21st July, contains the following views on the proper character of a work on international law, which that gentleman then contemplated:—

'If you will allow me to offer an opinion on a point which you must have considered much more deeply yourself, I should venture to question the propriety of the change you have made in your general plan. You remember the distinction which Bentham makes between expository and critical treatises of

* A motion of Lord Hawkesbury, Secretary for Foreign Affairs, for an address to his Majesty on his message relative to the termination of the discussions with France.—L. H.

† Charles Grant, Esq., director of the East India Company, father of the present Lord Glenelg.

‡ Sir William Grant.

law; they ought unquestionably to be kept as distinct from each other as the provinces of the judge and the legislator. Now, in the present circumstances of Europe, I fancy that an expository treatise of international law is not only more wished for than one of a critical and speculative nature, but is more likely to be useful, and to extend the reputation of its author. So many encroachments have recently been made, perhaps by both parties, on the ancient course and maxims of the law of nations, that the primary object of importance now is to reinspire a deference to solemn precedents and established rules. I hardly know anything more calculated to have this effect than a learned and faithful exposition of the system. The execution of such a work will demand so much research, so much skill of arrangement, and such a firmness of temper, as may justly inflame all your ambition. You must forget, for that object, that you are a citizen of a particular part of the European commonwealth, and consider yourself as a citizen of that commonwealth at large.'

EXTRACTS FROM LETTERS TO MR MURRAY.

'LONDON, 29th July 1803.

I am grieved to hear of your indisposition; but it gives me a little satisfaction to know that you are aware of the great importance of care upon such occasions. I was beginning to blame you for not writing; and nothing has prevented me this week from writing to you but military services. James Brougham and I joined the Bloomsbury Association; and for ten days past have been drilling most indefatigably; going from Northumberland Street up to the Foundling Hospital Ground twice every day. I have been at it three hours this morning, and my hand shakes so, that you see I cannot write. Your plan of weekly incitements to patriotism is good, provided you execute them well; coarsely, and plainly. Brougham, I think, will be most successful. Send me the first you print immediately, and all the rest; I may try my hand perhaps. Placards upon the walls have some effect: we have here, for want of original matter, the speeches in King John and Henry V.; Rolla's speech, signed R. R. Sheridan, &c. Elizabeth's speech to her troops at Tilbury they have not, though it is better than any; it is perhaps the purest piece of English eloquence existing, certainly the best war address.

I go to Garden Court this evening, and enter upon the proper life of a lawyer. What a plague of these warriors, that they break in upon all our schemes of study and slumber!

Let me hear from you very soon and very often, even though shortly; for I shall be very anxious to hear of your health while it is precarious.

LONDON, 6th August 1803.

I like your Beacon well; it holds a strong, clear, and true light. I hope it will guide your countrymen into the right harbour. The old Scotsman is well personated; the local circumstances are well hit. Pray have you engaged Walter Scott in these patriotic labours? His Border spirit of chivalry must be inflamed at present, and might produce something. I wish he would try a song. I joined Mackintosh in exhorting Campbell to court the Tyrtæan muse; as yet he has produced nothing; not that I looked upon the success of his efforts with certainty, being not quite in his line; but a miracle produced Hohenlinden, and this is now the age of miracles of every kind. You should reprint the different handbills that have had a great effect here; they are in general stupid and coarse; but it is the coarse souls which it is now most important to excite. The "Declaration" of the merchants and bankers was written by Mackintosh. If you have any channel of influence over the ballad-singers of your city, you should set them all a-singing "Scots wha hae wi' Wallace bled." I understand the spirit of the people in London is in general almost as good as can be wished, and better than could have been expected. The police magistrates can form a tolerably good guess from their spies in the alehouses. In the country, particularly along the coast, the spirit of the people is said to be very high. Indeed no other country of such extent ever exhibited so grand a spectacle as the unanimity in which all political differences are at present lost.

I am mightily amused with —'s charge of plagiarism, which I scarcely indeed understand; he is a sensible neat man enough, and, in his own way, clever, but he has no measure for such understandings as Burke, and Fox, and Mackintosh. In the school of Burke, the last has certainly learned much of that practical sagacity and wisdom upon the politics of modern Europe for which he is distinguished, and something too of the false taste in writing which may occasionally be objected to him; but to deny the defence of Peltier a merit and manner original, and quite distinct from that either of Fox or Burke, seems to me to proceed from a deficiency in those feelings and that comprehension which are requisite for such large subjects. The speech for Peltier has mannerism throughout, and one uniform cast of colouring; Mackintosh cannot then have stolen from both, for the manner of Burke differs as much from Fox's, as the style of Lucan or Milton from the style of Lucretius or Racine. You will perceive this charge of plagiarism has a little incensed me.

Tell Jeffrey I have taken to myself, for the Review, Miss Williams's correspondence of Louis XVI. From what I see of it,

I shall probably adore the unfortunate prince, and flagellate the conceited heartless woman.*

In writing to his friend Thomas Thomson on 15th August, he says—'An indirect application was made to me to furnish a set of notes for a new edition of Smith's "Wealth of Nations;" this of course I declined, because I have other things to attend to: even if I had been prepared for such an undertaking, which I certainly am not yet, I should be reluctant to expose Smith's errors before his work has operated its full effect. We owe much at present to the superstitious worship of Smith's name; and we must not impair that feeling till the victory is more complete. There are few practical errors in the "Wealth of Nations," at least of any great consequence; and until we can give a correct and precise theory of the nature and origin of wealth, his popular and plausible and loose hypothesis is as good for the vulgar as any other.'

LETTER TO MR MURRAY.

'LONDON, 17th August 1803.

MY DEAR MURRAY—I have looked for some more Scotch Beaus with impatience; this invasion is a subject which I am unwilling to forget for a single hour. Everything depends upon the spirit of the country; and now that Parliament is up, the country is in a great measure left to itself.

* The article appeared in the fifth number of the Edinburgh Review, published in October 1803. The book is entitled—'The Political and Confidential Correspondence of Louis XVI., with Observations on each Letter. By Helen Maria Williams.' 3 vols. 8vo.

Professor Smyth has stated that this book was a forgery—'The men of letters in Paris are notorious for impositions of this nature. During the French Revolution the "Letters of Louis XVI." were published in Paris. Helen Maria Williams, then on the spot, gave a considerable sum for the manuscript, and translated it: she had no doubt of the authenticity of the work. The Edinburgh Review pronounced in favour of it, in an article written by so considerable a name as Francis Horner: it was quoted in one of the Chambers after the Restoration as genuine. After all, the whole turned out to be a forgery; and two impudent men came forward, and avowed that they had thought it a fair literary enterprise one morning after breakfast.'—(*Lectures on the French Revolution*, vol. III. p. 277, published in 1840.) Sir James Mackintosh, in a letter to Horner of 26th August 1803, says, 'Miss Williams's observations (or rather Stone's, for I am persuaded they are his) on Louis XVI.'s letters are, to be sure, stupid and malignant to the last degree. In talking either of Berthier or Foulon, I forget which, *de*, or rather *he*, says that the charge of monopolising provisions, with a view to starve Paris, *has never been disproved*. This sort of negative observation, after a man has been murdered, savours rather strongly of revolutionary law. But what strikes me most is, the admirable consistency of her belief in forestalling, with a reverence for Turgot, whom, it is very obvious, she admires only for his faults. I do not believe in the authenticity of *all* the letters; there is no evidence produced of it, and some of them have a sententious and ostentatious cast, very unlike the simplicity of the poor king's mind and style. They are, however, I believe, a very fair picture of his sentiments, and they represent perfectly the opinion generally entertained of him in France. She deserves a very severe castigation for dulness and malevolence. Depend upon it, that liberal principles will never again be popular till we shake off all those who have brought disgrace upon them.'

The appearances are very gloomy and troubled all round us, but just where we stand the spot is bright. You used to quiz me a little for my sanguine hopes about further progress; but I assure you I am forced to summon all my philosophy to keep these hopes alive.* It is probable, I endeavour to persuade myself, that the people of England are about to gain for civilisation and true democracy a very splendid triumph over military despotism; but it is terrible to think that we can only call this at the best a probability. I have been lately fortifying myself by some favourite historical precedents—the invasion of Greece by Persia, Holland by Louis XIV., and England by Philip. What a mortifying contrast the behaviour of Elizabeth forces us to make with some characters of the present age; so much spirit, caution, and generous confidence, contrasted with bigotry, mean jealousy, and a selfish stupid coldness towards the people! Remember what Hume tells us of the conduct of Elizabeth to the Catholics, who in her time were really dangerous; now it is a certain fact, that the few of the present peers and gentry of England that adhere to that persuasion have been treated with indignity and distrust. They held a meeting for an address to the king, adding to the usual forms of loyalty an expression of regret that, by the laws of the land, they could not contribute their personal services: Lords Petre, Arundel, and Kenmare (of Ireland) were the leading names. From delicacy alone, a draught of their address was previously communicated to one of the secretaries of state, and it was returned with the passage I have alluded to expunged. The consequence was, that no address was presented. This was before the rebellion broke out in Ireland. Since that event, a plan has been suggested by the Prince, that he should go to that country with Moira, Lord Hutchinson, and Sheridan. In such a disease, even desperate remedies and quack medicines ought to be tried; and I really believe that the humbug popularity of Sheridan and Moira might have a healing effect, especially if assisted by the more substantial measure of emancipation, which hazards nothing against us, gives the Irish almost all they ask, and nothing more than in justice they ought to have had long ago. The doctor, or some other of his compeers, said of this scheme with great decency, that it was as much as their places were worth to hint at it. You must have noticed the address from the county of York, as by far the best thing that has appeared upon this great occasion: it is a single sentence, but one of admirable power and composition. I hear it

* In the letter to Mr Thomson quoted above, he says—'The approaching invasion, and the circumstances of the country, have driven every other topic from conversation; questions are mooted, and possibilities supposed, that make one shudder for the fate of the world. But my habit is confidence; I have not been long enough away from Stewart to have yet unlearned his optimism. But these intervals of ambiguity, and these suspensions of general laws, are dreadful while they last.'

as written by Mr Fawkes, a gentleman of property, who has been mentioned as likely to represent the county. For the Scotch secon, I wish you would read the history of Judas Maccabeus in the Apocrypha; it will furnish you with some apt and glowing quotations. The feelings of local patriotism and attachment to old laws and national independence are ardently and eloquently expressed. I do not know a finer piece of dramatic narrative than the second chapter. You may laugh at those oddities in human character, which make the same quotations of Scripture appropriate now, that fired and maddened the poor persecuted Covenanters.*

In a letter to his younger brother, the editor of the extended edition of his memoirs and correspondence, he offers the following advice for the disposal of his time:—

‘With respect to the time you are to divide between political economy and chemistry, you must of course judge for yourself. To a certain degree I believe it is most beneficial in study to indulge one’s taste and predilections, particularly if they are strong; but in this, to be sure, some discretion too is necessary. I shall only say that you will have *less* opportunity of being taught the elements of political economy *here*,* than of prosecuting your knowledge of chemistry, which I presume by this time is a good deal more than elementary. There are in London more than a dozen courses of lectures on chemistry, though none certainly so valuable as those at Edinburgh; but there are no lectures whatever on political science. I have no purpose in mentioning all this but to make you fully aware of the advantages of your present situation; if you were to neglect them, which I am sure you will not, you might feel a regret when it would be unavailing.

With respect to chemistry in general, I would advise you, from my own experience, not to throw away many hours upon manual and operative experiments, because your plans of life will not admit of your ever becoming a perfect or even a tolerable workman. Indeed your views should be a good deal higher than that; you have surely no ambition to discover a new metal or earth. If you had, you have no chance of success, unless you chain yourself for life to a furnace. Do not imagine that I am disposed to damp your ardour for chemical studies; on the contrary, my design is to promote it, by urging you to choose the most important and most difficult parts of the science. Do not quit it till you have mastered all the general knowledge that has hitherto been ascertained of the chemical phenomena of nature, and have fixed in our mind such a store of facts, and principles, and *reasonings*, as

* His father had by this time determined to remove his residence from Edinburgh to London.—L. H.

will enable you, after you turn your labours to other subjects, to follow the future discoveries and improvements that may be made. Only remember that an evening for your purposes may be far more profitably employed in labouring to comprehend a general theory or exposition of great natural phenomena, or to detect the fallacies of an inaccurate hypothesis, than in watching the manipulation of a process which you perfectly understand, but which you cannot qualify yourself perfectly to execute. You have to render yourself a man of liberal information and of a cultivated understanding, not a dexterous apothecary. I often reflect with pain and regret that the hours I have wasted in distilling sulphuric acid for future experiments that never were attempted, might have put me in full and steady possession of the doctrine of latent heat, the theory of affinities, that of oxygenation in its various branches, &c. &c.

JOURNAL. *January 14.*—I ought to be ashamed of myself for having omitted to keep some sort of diary during the early part of this winter, when I have been tasting for the first time the sweets of London society, and commencing that course of instruction, under other men's minds, the use and direction of which will determine the cast of my future character, for my character I must still look upon as of future formation. I have no leisure now to recall any part of the time I have passed; my society has been chiefly at Mackintosh's house, and among the men whom he brings together.*

This morning spent with Sharp† has forced me to attempt again a journal. He is a very extraordinary man; I have seen so much of him lately, that I determine every day to see more of him as much as I possibly can. His great subject is criticism, upon which he always appears to me original and profound: what I have not frequently observed in combination, he is both subtle and feeling. Next to literature, the powers of his understanding, at once ingenious and plain, show themselves in the judgment of characters; he has seen much of the great men of the last generation, and he appears to have seen them well. In this particular his conversation is highly interesting; from his talent of painting by incidents and minute ordinary features, he almost carries you back to the society of those great personages, and makes you live for a moment in their presence. * * *

Jan. 18.—The history of the volunteers during the last summer, followed out through that dissolution which already appears to have begun, is a most important experiment upon the subject of national defence, considered with respect to the peculiar circumstances of so complicated a form of society as that in

* See Memoirs of Sir J. Mackintosh, vol. i. p. 190.

† Richard Sharp, Esq., afterwards M. P.

which we live. The opinion of Pitt with respect to the volunteer system appears a great blunder for so eminent a statesman. Is it improbable that he may persist in the same conduct though convinced of his error, on account of the immense and powerful engine of present popularity which the volunteer system puts in his hands?

The great error of Fox in the late years of opposition appears to have consisted in that favourable expectation of the issue of the French Revolution which was natural to young and to speculative thinkers, but hardly to be permitted in a practised statesman. He felt too much, and reflected too little; perhaps he did not take sufficient pains to inquire into facts. He gave an indolent indulgence to his benevolent and great feelings. An error of an inferior appearance, but of fatal influence upon the Opposition party, was the countenance given to the Jacobin party in England by Mr Fox. He was misled in this by some people about him; and by the persuasion, no doubt, that that powerful party might easily be restrained from excess, and in the meantime give effectual aid to the prevalence of popular sentiments. Fox was led in this business even by such an unworthy agent as Dennis O'Brien; who must have been the original, as Mackintosh remarked to me, of Burke's picture of the *go-between* in the "Appeal from the Old to the New Whigs."

Political Anecdote.—Lord Mornington, now Marquis Wellesley, paid a visit to his friend Mr Addington, in Berkshire, about the time he was appointed governor-general of India. In a conversation on the subject, he was enumerating some of the disadvantages and objections to the situation. "Lord Cornwallis," he said, "has done everything; *has left nothing for me to do.*" Mr Addington, now minister, told this last Saturday to Sir James Mackintosh, from whom I have it. I forgot to ask whether, in stating this curious and valuable anecdote, the minister appeared conscious of the inference that it suggests with regard to Wellesley's character, or the explanation it affords, from that character, of the measures of his administration. It was mentioned, however, in a conversation in which Addington was gently, and after his manner, blaming the wars, &c. of the governor-general.

Jan. 22.—At Sydney Smith's: the happiest day I remember to have ever spent; Mackintosh, Whishaw, Sharp, Rogers, and three interesting women of unlike characters and manners. I was startled to hear Sharp say that the critical writings of Marmontel were unreadable; I have always considered them almost evangelically orthodox.

Jan. 25.—At Rogers's; Mackintosh, Sharp, Sydney Smith, Wilkins, &c. Somewhat a melancholy evening, for it was the last Mackintosh is to spend in London. Wilkins was a load

upon the company; for with that cast of gloom, and fond to fix our eyes to the last moment on the light that was sinking below our horizon, and is now sunk, one was not disposed to think of grammatical antiquities. It is something, however, to have seen the first Englishman who read Sanscrit; a plain, hard-headed man, enthusiastic and liberal in his own walk of literature, but with no original thoughts or feelings out of it.*

A few days later, he thus expressed himself in a letter to Mr Erskine on the departure of Mackintosh:—

‘To Mackintosh, indeed, my obligations are of a far higher order than those even of the kindest hospitality; he has been an intellectual master to me, and has enlarged my prospects into the wide regions of moral speculation more than any other tutor I have ever had in the art of thinking; I cannot even except Dugald Stewart, to whom I once thought I owed more than I could ever receive from another. Had Mackintosh remained in England, I should have possessed ten years hence powers and views which are now beyond my reach. I never left his conversation but I felt a mixed consciousness, as it were, of inferiority and capability; and I have now and then flattered myself with this feeling, as if it promised that I might make something of myself. I cannot think of all this without being melancholy; “ostendent tantum fata, neque ultra.”’

JOURNAL. ‘February 2.—Spent the whole afternoon with Sharp; I trust beneficially, I am sure most delightfully. He spoke very actively, and sometimes with ardour. I begin to learn the art of listening; a difficult art. He talked to me a great deal about the commerce of London, on which he must be extensively informed: I can judge for myself, that he spoke with precision on some interesting views of it. I have elsewhere noted such facts as I have been able to remember. We ended of course upon criticism, minute criticism of English composition. Though I boast of beginning to learn the art of listening, I have not acquired the least talent for putting questions; still more difficult.

May 16.—This day I have made my first appearance at the bar of the House of Lords, and have committed what Hume calls the most presumptuous of all attempts—to speak before the chancellor with less than a month’s study of the laws;* for I can scarcely say that I have ever given a month’s study to Scotch law or to any law. I have probably, therefore, spoken to the same effect that Hume describes—that of labouring to make myself ridiculous.

* ‘The greatest genius and greatest orator who should pretend to plead before the *chancellor*, after a month’s study of the laws, would only labour to make himself ridiculous.’—*Essay xvi. ‘Of Eloquence,’* quarto edition; Edinburgh, 1768.

I know full well that I must at least have been ridiculous from my symptoms of trepidation and embarrassment. Speaking for the first time in any place would make me nervous; but before so great an assembly (great from association and previous impression), in a large hall, those you address at a great distance from you, with a vacant gap between, is enough to chill all fancy and all memory. If I had not used the precaution of full notes, which must become unnecessary as soon as I can render it so, I should have utterly lost my train of argument. I scarcely could finish a sentence, and could find no variety of language to express distinct ideas. This, I know, partly resulted from having notes, and from not having courage to trust myself to invention extempore; but my tongue, in truth, clove to the roof of my mouth.

In a letter to Mr Murray of 8th June, he says—"Tell Jeffrey not to be so much alarmed, and that I wish to keep Stevens's new pamphlet, called "Opportunity," for a review. Brougham and I have been discussing the subject a little, and I feel myself more inclined to agree with the author than with Brougham upon the subject. I wish, besides, to break a lance in this chivalrous cause—the slave trade—before it be quite forgotten, and to pronounce a panegyric on Wilberforce and Co., if they shall prove victorious; or to animate them to farther perseverance, if they suffer another defeat: so that you may suspect me of a desire to be converted, if you please, and to labour, as Wilberforce said of Brougham when he introduced him to one of the brethren, "in the same vineyard."

JOURNAL. 'June 15.—This afternoon I had a meeting by appointment with Mr Elphinstone, the chairman, and Mr Charles Grant, the deputy-chairman, of the East India Company. They had made a previous application to me, through Mr Adam, to know if I would undertake an exposition of the views now entertained in Leadenhall Street with respect to the extension of their Eastern dominions, and an examination of the governor-general's conduct in the late or present war against the Marattas. As I signified my assent to the proposal, this meeting was for the purpose of entering a little into particulars, and settling the scheme. Mr Grant was the spokesman, and though I have long been aware of his worth and information, I had now occasion to admire both the extent of his knowledge in Indian politics, and the purity, sensibility, and enlargement of his political views. This is an honourable opportunity for me, and if I make the most of it, may prove a crisis in my progress. It is a great subject on many accounts, and I shall bring the discussion before the whole audience of England. The investigations it involves will lead me, I expect, to a survey of the whole system of our Oriental policy and projects; and in advocating a cause which is congenial to my own principles

and feelings, I shall have to illustrate the high rules of political virtue, to assert the rights of remote nations of men, and to prescribe maxims to the government of England for the preservation and improvement of her empire in Asia.*

CHAPTER VI.

AGE, 26-28.—1804-1806.

Connects himself with a Party—Dinner at Lord Fitzwilliam's—Meets Windham and Sheridan—His Private Views—His Interest in the Reforms of the Legal System in Scotland—Correspondence with Jeffrey, Murray, and Mackintosh—Sidmouth's Rise—Interest in the Attempt to Exclude Mr Lealie from the Chair of Mathematics—Melville's Impeachment—Commencement of Bullion Inquiries—Popular Education—Resumed Correspondence with Lord Webb Seymour—Court and Political Anecdotes—Characteristics of Pitt; his Illness and Death.

The following entry in the Journal is important and interesting, as marking the era of Horner's practical connection with statesmanship and party politics:—

'June 30.—I have received from Lord Fitzwilliam, whom I never saw, an invitation to dine with him; and I am given to understand it is a political party dinner. After some deliberation, and consulting with Adam, Ward,† and Whishaw, I have accepted it. Almost from my first entrance upon the study of law, I considered politics as an ultimate object and a concurrent occupation. Political adventure is a game which I am disqualified from playing by many circumstances of my character, and which I am resolved to decline. But some share in public business, acquired by reputation, and supported on an independent footing, is a fair object, and almost the only reward that stimulates me to the law. Without belonging to a party, there can be no efficient participation in public affairs. If an honourable man sees no formed party among the factions of the state, by whom his general ideas of policy are maintained, he will shrink from them all, and attempt only individual efforts to explain and enforce his views. But in the general maxims and principles of Mr Fox's party, both with regard to the doctrine of the constitution, to foreign policy, and to the modes of internal legislation, I recognise those to which I have been led by the results of my own reflection, and by

* I have not found in any of Mr Horner's papers or letters any evidence of this 'exposition' having been written; and a director of the East India Company, who was kind enough to make the search at my request, did not discover any such document among the archives of the India House.—L. H.

† The Hon. John W. Ward, afterwards Earl Dudley.

the tenor of my philosophic education. And I am ambitious to co-operate with that party, in labouring to realise those enlightened principles in the government of our own country; however I lament some violences and mistakes in the conduct of Opposition on particular occasions, and however much I suspect the characters of some who have at times been very near Mr Fox's person. All my feelings carry me towards that party, and all my principles confirm the predilection. Into that party, therefore, I resolutely enlist myself, with very feeble hopes of its ever being for any long period triumphant in power. There is a low prudence, in rearing the fabric of one's fortunes, which fixes the ambition (if it may be called by so proud a name) on the actual possession of places and emolument; and there are some living instances which prove this to be quite a sure game, provided there are never any compunctious visitings of principle or personal regard. There is a more virtuous discretion, which limits a man's schemes of exertion to his professional sphere, and to the honest accumulation of large profits and small praises, such as the English bar seems almost infallibly to bestow on diligent abilities. But there is a more elevated prudence, which does not stop at affluence in its prospect, but ventures to include the chances of lasting service to mankind, and of a good name impressed upon the history of the times. I could not have desired a more respectable channel of introduction to the meetings of the party than that of Lord Fitzwilliam's house; for though I have never been made known to that nobleman, I am not ostensibly brought to his house by any other person. I have some reason to believe that Lord Lauderdale may have suggested my name; but I am pleased that I do not enter under his wing, as his is one of those characters in which I have not yet entire confidence.

July 1.—I have been at Lord Fitzwilliam's; the party, like all large ones, unsatisfactory. I had the pleasure, however, of seeing and being introduced to Windham and Sheridan. I heard Windham talk no more than to enchant me with his manner; Sheridan I had an opportunity of seeing and hearing more at length, and in an appropriate manner, for he went afterwards with the younger men of the company to a tavern, where we sat till three o'clock in the morning. His serious conversation about the defence bill, and some other matters, was very tame; but his satire and pleasantry full of fire and vigour. He seems to me rather too attentive to strangers, though his manners are certainly very polished; but this courteous notice of one looks as if it had a purpose, though it may not.

The intention, I find, of bringing people together at Lord Fitzwilliam's was, that some association might be formed for writing pamphlets, squibs, epigrams, &c. &c. against the administration: so that this is the end of the scheme which was communicated to

me, in a message from Lord R. Spencer, with a request that I would belong to the club. I saw no persons brought together who are likely to write together, except those whose writings would be worth less than nothing; such must I esteem —, —, —, &c.; not to name others who ought to have no acknowledged place in such society. This literary scheme of commanding the press will end in a few paltry skirmishes, and some epigrams, by Jekyll,* Fitzpatrick, and Lord John Townshend. At any rate it is not my destiny to write in newspapers, nor is it likely that the proposal will ever be made to me. I shall perhaps look out for some opportunities, of my own accord, for writing constitutional tracts, such as those opportunities which my Lord Somers in his earlier days thought no improper temptations from the general career which he pursued.²

A letter from Jeffrey of the 5th of August contains the following earnest appeal for co-operation, and notices of the progress of the Review:—

'I am glad there is anything in the Review to please your fastidious taste, and most glad to find that you are actually at work upon something to make the next number still better. Yours has been a deplorable desertion, my dear Horner, and has really weighed very heavily upon my spirits: for our sake, for my sake, for your own sake, and for God's sake, do set about *Malthus* immediately, and by the labour of one week save yourself from the penitence and reproaches of many months. I cannot vary my exhortations more: you have worn out my whole stock of obstructions.

I do not dissent from Brougham's *Anti-Economics*, and I am almost perfectly certain that the doctrine of those theorists is absurd: and I am only confirmed in that impression when you put on your most profound countenance, and tell me that neither you nor I understand properly what it means. When you expound it, I engage to listen with the utmost patience, and to weigh it with the most respectful attention. But I do not quite agree with Brougham in what he has said of Lauderdale's view of the effect of capital. I am not sure that his lordship has not blundered, and am persuaded in my heart that the thing may be simplified; but I do not think Brougham has done justice either to the author or the subject in this article, though I have not time now to tell you why. The article, however, is excellent, and takes a fine range. The same Brougham, I understand, has emigrated, so he writes me, but with what view, he does not explain. He has left a political article for us, and says he has engaged several Royal Society men, for others to the extent of two sheets in all;

* *Note by Mr. Whewell, dated 1826.* — B. Jekyll only, as it turned out.

he fights very well with his own hand, but I do not in general approve of his choice of seconds.

You say I write too little: my time is so much taken up by dunning my "tardy ministers," that I can scarcely do anything else; and begin to suspect that the office of editor should be separated from that of author, in this as in other cases. I am forced too, as patron of the feast, to take my place last, and sometimes find the table full before I am aware.'

In a letter to Mr Murray of 13th September, after some remarks on the system of public prosecutors in Scotland, Horner says:—

'The system of common informers hardly deserves the name of system; it is a very rude clumsy device, and sometimes very troublesome in its operation. It is clumsy, upon the principle that what is left to be every man's business will either become nobody's, or be assumed by those who had better attend to their own affairs, and who will manage their own so much the worse for meddling with this; and it frequently has proved very troublesome and impertinent in England, where corrupt people have tried to make a profit, and conceited fanatics to glorify God, by the revival of penal prosecutions, which the necessities of commerce or more rational manners had sunk into disuse. All the west of England was set on fire about two years ago, and the woollen manufactures in a manner suspended, by some attorneys who commenced *quintum* informations upon the statute of apprenticeships, which had been practically repealed in that great seat of opulence and industry. And we have a society in town for the suppression of vice, which will probably be overcome, like the laws they would revive, by the good sense of the times; but which, if allowed to have any effect, can have no other than to abridge the pleasures of the lower classes, and to propagate among the class just above them those views of canting, inquisition, and scandal, which are infinitely worse than all the stage-playing and sabbath-breaking; which I agree with them in holding in great abhorrence.

I remember having seen some inquiries about me in a letter to your brother, which I always intended to take a little notice of the first time I should write to you. Indeed, if I had thought the matter of much consequence to myself at the time, I should have satisfied you immediately, or rather have been beforehand with you; for in spite of your distance, you are the only one with whom I can communicate quite unreservedly upon all my private affairs. And I have always found that anything interesting to me becomes of still more interest, in its relation to myself, after I have imparted it to you. This summer I have allowed myself to be recognised more expressly as an adherent of the Opposition than I ever had an opportunity of doing before. I did not dine at

Carlton House, but at Lord Fitzwilliam's, with a set of partisans "black spirits and white." The advances were made to me; and after taking the subject into serious deliberation, I resolved to take advantage of them. You have known as long as myself the cast of my political opinions, as well as my wish that politics should be joined to law in the occupations of my future life, if indeed my schemes of life shall ever be matured into real occupations. To hold an efficient character in politics, a man must choose a party, if the state presents one to whose leading declarations and views he can honestly subscribe. Now though there are several parts of the former conduct of Opposition which I cannot approve of, and some men attached to it whom I never can esteem, yet the maxims and principles professed by Mr Fox are congenial upon all great questions to my feelings and conviction. I am not giving you this as an apology for myself, but as the deliberate mode in which I considered the subject before I came to a resolution. I accepted Lord Fitzwilliam's invitation, and permitted my name to be put down in the list of a new club to which Fox, Windham, Sheridan, &c. belong. It will be very comic to you, and therefore I cannot omit the circumstance, that this club meets at Budd's in Pall Mall, where Cobbett's works are published, under the sign of the Crown, Bible, and Mitre.

I do not think that for a long long time my political activities will proceed any further. For my view of the matter is this: law must be my business and first object, because I have no fortune; I can permit nothing, therefore, to interfere with the necessary preparations for professional practice. Then, again, I have no chance of getting into Parliament these many years, whatever my chance may be at last. Now to be an *active* politician out of Parliament is, in my way of thinking, neither a very useful nor a very respectable character; and to be at the tail of a party is quite as much below my education and my schemes, as to be near the head of one is above my capacity, or indeed my inclinations. To be useful and eminent as a constitutional lawyer, and to turn to the public advantage those studies with regard to internal legislation which I still continue to prosecute, compose very nearly the ideal object which I long ago set before my ambition; I believe I have regulated my ambition, and sketched this "beau ideal," both calmly and with a desire to be right. As for the splendid hazardous pursuits of foreign policy and ministerial intrigue into which our friend Brougham is plunging himself with a resolution to succeed that seems to insure success, and will at all events secure distinction, they are as unsuitable to the habits of my mind as to its powers; too bustling for the indolent predilection (which grows upon me hourly) for domestic and confined society, and not of magnitude, I will acknowledge, adequate to my idea of the highest sort of ambition. Lord Bacon and Dugald

Stewart have made me a little of a visionary, as I believe you have sometimes thought; I am sure Brougham must have thought so always. But I have not yet reasoned myself out of those shades; the "fantastic spell" is unbroken; so I must even go on still "*perque domos vacuas et inania regna.*"* But I am forgetting the very humble subject from which I have run off into a sort of declamation. It was under the impressions which I have been endeavouring to describe, and which you will not think new, that I took the step I lately did; deeming it advisable to form an *early* connection with the public men who maintain such principles and views as appear to me just, and that the opportunity offered was one which allowed me to form that connection in the most respectable manner, and without the imposition of any personal fetters. The first application was made to me by Petty, in name of Lord Robert Spencer, with whom I am not acquainted, at a time that a literary project in aid of politics was thought of, which is now dropt; and after I had signified my ready acquiescence, came the invitation from Lord Fitzwilliam, at the suggestion, I have some reason to conjecture, of Lord Lauderdale. Lauderdale, you know, is not a character altogether suitable to my taste, nor have I yet, in spite of his steadiness to an unsuccessful party, entire confidence in the purity of his politics: but I have traced him on more-than one occasion speaking indulgently of me, with the intention of doing me a service; and I cannot be insensible to this unsolicited attention. I did not forget this consideration in the subject which I have desired Jeffrey to consult you upon; but it appeared to me wholly eclipsed by the duty of acting with justice to Brougham, who in his absence has been so wantonly attacked.

JOURNAL. 'October 1.—Employed very closely for a week in investigating the policy of bounties upon exported corn; the results sent to Jeffrey. In this method of investigation one cannot be without distrust, having no security that some necessary steps in the process may not be missed. The *method* must be improved by the discovery of some principle that shall at once abridge and make it more general.†

* '*Perque domos Ditis vacuas,*' &c.—VIRGIL'S *Æneid*.

† 'Along the waste dominions of the dead.'—DRYDEN.

† In the ninth number of the Edinburgh Review, published in October 1804, there are two articles by Mr Horner:—

1. 'Letters on Silesia, Written during a Tour in the years 1800, 1801. By John Quincy Adams.'

2. 'Observations on the Bounty upon Exported Corn.'

He had not contributed anything to the Review since his article on the Correspondence of Louis XVI., in October 1803 (see p. 133).—L. H.

EXTRACTS FROM LETTERS TO MR MURRAY.

‘People are coming to town very slowly. We had but four clubbists yesterday at our first meeting. My only regret about this is, that we have not been able to show Thomson* any of our lions. I have been selfish enough to keep him as much as possible to myself; it was so long since I had enjoyed the cordiality and free spirit of an Edinburgh friend. I had languished for it very much; for as yet I have found no substitutes here. I am almost glad to hear that you don’t mean to come up till the long vacation, though it is long to look for; I shall then be able to see something of you.

I hardly know what people say or feel now about politics, having lived almost out of the recollection of them for some months past. This seizure of Rumbold renews of course those regrets and disgusts, which are every now and then repeated by fresh violations of the good old usages, that once made war itself a proof of civilisation. There is nothing preserved that gives it a character of greatness and refinement. Shall we ever see those rules again in force that were the pride of Europe? The present Europe, I fear, is not that in which we were born six-and-twenty years ago. Had they been only violated on one side, there might have been hopes. But the country, which ought to stand forward the systematic assertor of them, and which is conceived by its best inhabitants to be really placed in that important station, has in truth betrayed the cause from a want of magnanimity in its rulers. We have been tempted by the shortsighted argument of retaliation, and for the pedler profits of a precarious commerce, to imitate both the meanness and the ferocity of our adversaries. The violent invasion of neutral rights, the prostitution of the diplomatic character, the outrage to decency and private feelings in the publication of intercepted correspondence, unfortunately may be retorted upon ourselves when we bring them as charges against France. I understand there is an entire suspension of all intercourse between this country and France, even for the necessary purposes of belligerent accommodation. In the course of this last autumn I looked a little into Thucydides, and was struck with the melancholy resemblance between that destruction of an international commonwealth which he narrates and the one we are now witnessing. Among other things, he expressly remarks the moral revolution that took place in the conduct of the hostile states towards each other.

13th Nov.—I intended to have sent you a letter by Thomson, who left me on Friday evening; but I found myself disposed, when it came to the last, to lounge away as much of my time as I

* Thomas Thomson, Esq.

could with him. There are very few of our friends more to my taste than he; and as we had become thoroughly accustomed to each other before I left Edinburgh, this revival of our intimacy seems to have breathed a second spring upon me. His information is very much diversified, and just like his library, brought together in a desultory way to be sure, but with excellent judgment in the selection of the best sorts. Then his temper is so manly and cheerful; and with all his seeming calmness and suspense, has a sufficient portion of that vice of admiration which it is the fashion to quiz, but which I am old-fashioned enough to be very unwilling to dispense with. * * *

There is no object of ambition now at the Scotch bar but professional distinction from great knowledge and powers of public speaking; nor should I be surprised if even the two silk gowns were in future to be earned very often by eminence in these respects, independently of all factious connections. It often gives me pleasure to reflect that the men who form your race of temporaries at the bar, as well as that above you—Thomson, Cranstoun, &c.—are of this honourable description; very active and decided in their opinions upon public measures, but without any tincture of party. Now that you are come together, and understand each other, nothing is likely to break your union; and it is in your power to exert an influence of the best kind, both by giving a tone of independence to the bar, and, from its necessary effect in such a town, communicating that fashion a little farther. Is it not likewise well worth the thoughts of all of you, who are not yet immersed in the luxuries of practice, to consider the opportunities that are presented by the present state of Scotch jurisprudence? The dissatisfaction that prevails, the real imperfections of its administration, and the idle projects of new constitutions which (I am persuaded) can do little or no good, are a sufficient proof that an opportunity exists which ought to produce a corresponding effort. Whoever take advantage of it will establish their name; and it would be contrary to what has happened on similar occasions, if individuals are not produced by this opportunity. Why should not your set seize it? It is to be done only by an accurate and deep study of principles, and of the errors that are committed in the administration of your excellent system. A few admirable models of practice, and some judicious publications, particularly reports, will do more than a thousand acts of Parliament; the great business is to introduce the authority of logic into the Court of Session, and let her dictate close, correct, and consistent habits of discussion and judgment.

This subject is far from being new to me, and I am quite earnest about it. The opportunities of an original reputation in the law of England are gone by; they were seized as they pre-

sented themselves, for instance, by Northington, who organized the chancery and the peculiar rules of its system; by Holt, who gave form to the law of personal property, that novelty of modern times; and by your great relation,* who collected the principles of commercial jurisprudence. We have now only to apply the cases which these lawgivers have left us, until some other change shall be slowly effected in the arrangements of property; I see no opportunity likely to arise out of our present state in England, except in the creation of an agricultural code, when leases shall become more frequent, and cultivation more properly a sort of trade, as it ought to be. When that necessity arrives, we shall probably be forced to borrow from you; you are welcome in the meantime to copy as much from us as will do you good. What you would do best to imitate, is not our particular principles, which are often very arbitrary and technical, but our logic, as I said before—that is, our mode of proceeding, the precision of inquiry and statement, the caution with which we proceed upon all new cases, and the strict observance of precedents. If this method of jurisprudence shall be introduced into Scotland, and well established, you will ultimately have an immense advantage over us, in beginning to fix your rules in a more cultivated state of society, and after a more thorough discussion of general principles. There are some branches in which you have clearly the advantage of us already, if you would make the most of it—such as in bankrupt law, some parts of the law of real property, and some parts (I must confess) of the crown law.

15th Nov.—I suppose you know that Smith† begins to lecture on moral philosophy next Saturday at the Royal Institution. You would be amused to hear the account he gives of his own qualifications for the task, and his mode of manufacturing philosophy; he will do the thing very cleverly, I have little doubt, as to general manner, and he is sufficiently aware of all the forbearances to be observed. Profound lectures on metaphysics would be unsuitable to the place; he may do some good if he makes the subject amusing. He will contribute, like his other associates of the Institution, to make the real blue-stockings a little more disagreeable than ever, and sensible women a little more sensible. It seems to me, for the interest of general conversation, that these subjects should not be quite so unknown to them as to be thought unintelligible pedantry if mentioned in their company; and the impertinence of those who set up as adepts is the price we must pay for this important acquisition. Your chemists and metaphysicians in petticoats are altogether out of nature—that is, when they make a trade or distinction of such pursuits; but when they take a little general learning as an accomplishment, they keep it

* Lord Mansfield.

† The Rev. Sydney Smith.

in very tolerable order. Tell me if I take this rightly; I know it is not well settled, and men of letters usually lean too much on one side.'

LETTER TO FRANCIS JEFFREY.

'TEMPLE, 11th January 1805.

MY DEAR JEFFREY—I received your letter this morning, which there are sterling good reasons for acknowledging by return of post. You were relieved, I trust, from all difficulties by the arrival of Brougham's packet; it would be new indeed if anything connected with Brougham were to fail in despatch. He is the surest and most voluminous among the sons of men.

I am very glad to hear you were to be forced to write for your *Review*; for I have lamented, with everybody else, the appearance of that lethargy which you complain of. I could tell you severely about this, if I had not done it before.

Hallam spoke to me about Ranken's history, and will do it for you. He is a very able man; full of literature and historical knowledge: but I do not know how he will write. Pillans I will speak to again, though I hardly know what he can do. There is vigilance and judgment about trifles, which men only get by living in a crowd; and those are the trifles of detail on which the success of execution depends. I long to see the "*Last Minister*;" to renew the pleasure I received from parts which I heard. I would rather have you review it than anybody I can think of, for I try in vain to think of any very good critic here who is not a friend of Scott's: you must even do it; but you will of course do it with a little of the partiality which we all feel for the author, and which it would be both disagreeable to yourself and affected to attempt to avoid.

Your promise of an autumnal visit reconciles me to the loss of you in spring; the greater pleasure I should then have in seeing more of you compensates the delay. You know of course that you do not see London at that season; but green England is better. I flatter myself much with the idea of Murray being here likewise in autumn, when we can talk to one another at a small table, or in the open fields. But the "blazing squares" will get the better of his resolutions, I take it, and I shall be put off with the pleasure of seeing his titles every morning in the "*Morning Post*." Remember me to the said dissipated youth; I have not heard of him for a long time, but both of you have the same justification of your late silence, that I had sickened you with some epistles of unconscionable length. Remember me particularly to Mrs Jeffrey, and believe me most truly yours.'

In a letter to Sir James Mackintosh, dated 19th January 1805, Horner gave such an account as must have been very accept-

able to an expatriated politician of the rise of Lord Sidmouth. The main point of his information is thus embodied:—‘Nothing could surpass the surprise we were all thrown into in Christmas week, when it was announced that a formal reconciliation had taken place, in presence of the king, between Pitt and Addington. So far as I had opportunities of observing the first impression of it, it was strongly disapproved by Pitt’s intelligent admirers, and lowered him a little in the city. The king breakfasted next morning at the lodge in Richmond Park, and on the 7th instant Addington dined at Kew, *à-la-tête*; an honour not conferred on any subject since Lord Bute. He is now Viscount Sidmouth, and president of the Council.’

He concludes a narrative, the more important part of which is now matter of history, thus:—‘I confine myself to these gossiping trifles, which will show you what we continue to trifle about here. They may serve to supply the chasm of news till you get the papers of this month. I blame myself very much for having been so long in writing to you and Lady Mackintosh; there is a folly about one in writing letters to a great distance, as if (to use a phrase of Windham’s) it were necessary to brew them of a stronger body for exportation. I beg you will remember me in the most grateful manner to Lady Mackintosh, whom I never think of but as one to whose kind notice I owe much of the best society I enjoy now in London, and most of the happiest days I passed while you were here. When the members of these parties come together, we scarcely fail on any occasion to remind ourselves of them by some fragments of conversation that have made us better and wiser for life. I dine to-day at Boddington’s, where most of us will meet: if I owed nothing to you but the friendship of Sharp, I never could repay even that. I am assiduous to make myself worthy of it, by bringing myself as frequently as I can in contact with his strong and purified understanding.’

EXTRACTS FROM LETTERS TO MR MURRAY.

‘21st February 1805.

I contrived to get the second day of the debate on the Spanish papers; William* and I went down together. It was by no means a very satisfactory discussion of so important a transaction, nor was there much eloquence on either side. Fox was very slovenly, desultory, and incomplete; it is impossible for him to speak without inimitable execution in parts; but he took no great range of the subject, though one, I thought, most suitable to his taste and best power, nor did he seem to strike into the

* William Murray of Henderland, Esq., and of the Middle Temple, the elder brother of Mr J. A. Murray.

pith and heart of it. Pitt's reply was very angry and loud, full of palpable misrepresentations. The best hints as to the real substance of the case gleamed through the darkness and turbidness of Dr Lawrence, who would fairly have talked his audience to death if they had not coughed him to silence; his expectoration (to use a delicate phrase of Lord Ellenborough's) was dreadful to the hearer, but seemed to be full of knowledge, and sense, and acuteness, as I have always found him whenever I have had self-command sufficient to listen. There was one extraordinary oration that night—Sir William Grant's; quite a masterpiece of his peculiar and miraculous manner. Conceive an hour and a-half of syllogisms strung together in the closest tissue, so artfully clear, that you think every successive inference unavoidable: so rapid, that you have no leisure to reflect where you have been brought from, or to see where you are to be carried; and so dry of ornament, or illustration, or refreshment, that the attention is stretched—stretched—racked. All this is done without a single note. And yet, while I acknowledge the great vigour of understanding displayed in such performances, I have a heresy of my own about Grant's speaking: it does not appear to me of a parliamentary cast, nor suited to the discussions of a political assembly. The effect he produces is amazement at his power, not the impression of his subject; now this is a mortal symptom. Besides this, he gives me a suspicion of sophistry, which haunts me through his whole deduction; though I have nothing immediately to produce, I feel dissatisfied, as if there were something that might be said. And after all there are no trains of syllogism, nor processes of intricate distinctions in subjects, that are properly political. The wisdom, as well as the common feelings, that belong to such subjects, lie upon the surface in a few plain and broad lines; there is a want of genius in being very ingenious about them, and it belongs to talents of the second order to proceed with a great apparatus of reasoning.

16th March.—Your account of Leslie's election interests me beyond anything I have heard for a long while.* But you must tell me a thousand things more about it. In the first place, procure me, I beseech you earnestly, every document about it that you can lay your hands upon; especially the protest, any paragraphs in the newspapers that may have been published by either party, Dr Hunter's letter if you can, or any other morsels of correspondence. I shall preserve them in the same bundle with my copies of Aikenhead's conviction and Lord Anstruther's

* An attempt was made to exclude Mr Leslie from the chair of mathematics by a charge of infidelity, founded upon a note in his 'Treatise on Heat,' in which he says that 'Mr Hume is the first who has treated of causation in a truly philosophic manner.' For an account of this celebrated case, see an article by Mr Horner in the *Edinburgh Review* for October 1805.—L. H.

letter: and shall enjoin my heirs, in the whole line of substitution, to collect similar documents from century to century, by way of proving some thousand years hence that priests are ever the same. * * *

6th April.—I am glad to hear that a narrative is likely to be made out of these strange and disgraceful proceedings.* I had just suggested this to Mr Stewart in a letter I have been writing to him this morning. So far from having any objection to do the thing, I should be proud of it; but it appears to me that it would be executed with more fidelity and vigour by a person who has witnessed the whole transaction upon the spot. Have you not thought of Jeffrey? I am clear it should be done. On first mentioning the story to Whishaw, it immediately struck him that its circumstances should be made publicly known in some shape or other. I shall write to Dr Parr to-day, and try to get his metaphysical erudition, as well as his zeal for toleration, to contribute something for us in the way you mention. You must not suffer Moncrieff to forget the report of the debate in the Presbytery.

In the following extracts from a letter to Sir James Mackintosh of 8th April, some lively sketches connected with Lord Melville's impeachment are followed by the earliest indications of Horner's particular interest in the bullion question, with which his name became subsequently associated:—

'You don't meet with a single person in any company whatever who pretends to deny, or will suffer you to doubt, that Lord Melville has participated in the peculations of his subordinate. The cry is loud against placemen and Scotsmen. The most habitual zealots for Mr Pitt are most decided in their indignation against Dundas; this, indeed, is natural, and very reasonable. The impression is deepest where it is most important that it should be—in the city; where the direct evidence of the report is aided by many feelings and motives which you can easily imagine. "By G——, sir," says Alderman Curtis, "we felt him in our market!" There can be little doubt that all this will have an immediate effect in shattering the administration, already so frail.

An occurrence at the theatre last week is much talked of. In the "Wheel of Fortune" the old governor says he cannot give his daughter a portion, for he had never understood the arts of governing; this play was performed at Covent Garden, and this sentence was received with so much noise, that the players were interrupted for some minutes. Within three days the king ordered the same play at the other house; and the

* Against Mr Leallo.

uproar was infinitely greater. His majesty is said to have appeared disconcerted; and the sagacious politicians opine that he had ordered this play so soon after with the idea that his presence would suppress any such emotion. The historical effect of the Tenth Report, since Pitt is to defend Melville, is more certain, and perhaps more valuable; the men and the principles that were vilified for so many years by those statesmen will be seen in a different light, now that their antagonists are cast into the shade by the disclosure of such vulgar and miserable embezzlements.

Brougham returned from the continent just as this story was made public, and the feeling it raised in his mind was very natural; he had had to defend the statesmen of this country in general against the contempt with which they are spoken of upon the continent for their ignorance of foreign affairs, their ill success, want of diplomatic system, &c.; the single topic he always found himself driven to, in contrast with their continental colleagues, was the unsuspected purity of our financiers: it was rather provoking, just on being landed at home, to find that no more was to be said on that head. All Englishmen have the same feeling; and it may produce wonders to-night in the House of Commons. I shall not send this letter to the India House till to-morrow, that I may give you some account of the division.

You will believe that I was very much interested by the details you have sent us about the famine in the Maratta country. I sent an account of it to Stewart, not forgetting the anecdote of Colonel Close's maximum.* Can anything show more strongly the importance of giving the elements of liberal opinion, or, if you will, the dogmas of the right school, to men who have such trusts?

I am glad to hear of your intention to survey statistically the island of Bombay; the "Archives Statistiques" shall be sent out to you certainly by these ships. As to general queries, it would be idle to make out any such; and to frame such particular ones as would be pertinent, requires that some local information should be already possessed, which I can hardly say is my case with respect to the political economy of Bombay. Yet I have a strong curiosity about it, and if I were taught a little, might

* The main causes of this tremendous famine, so far surpassing all European ideas of public distress, are the failure of the rains for two successive seasons, and the civil wars which have distracted the Maratta empire for eight years. Something may have been contributed by our campaign of last year, but certainly much the least part. In the midst of these obvious causes, and of this wide desolation, so obstinate are men's prejudices on this subject, that Colonel Close, our resident, very seriously ascribes much of the evils to the avarice of the corn-dealers at Poona. He prevailed upon the Peshwa to compel them to sell their grain at what he thought a reasonable price: they ran away, and there was no grain in the market next day.—*Extract from a letter of Sir James Mackintosh to the Rev. Sydney Smith, 14th August, 1804.*

make out questions to learn more. As the emporium of a very extensive and peculiar commerce, it must suggest many illustrations and many corrections of the theories which have been framed in this part of the world, from our own limited experience, with respect to the distribution of capital, the facilities of credit, and the contrivances for accelerating and economising exchange. The theory of prices and their variations is the darkest part of our system; much light might be thrown on it by considering the subject in various parts of the world, where the habits of consumption and the medium of circulation are different.

You would confer a high favour on me by communicating such views on these parts of the general theory as the peculiar facts to be observed in Bombay suggest: any books or papers containing accurate details I should look upon as invaluable.

The trade of bullion connects all the parts of the world into one system; and there are some recent phenomena in the commerce of this quarter which would probably be explained if we understood the state of the bullion market in Asia. Have you any means of ascertaining the variations of prices at Bombay from one point of time to another? If there are, you may aid us much in solving this problem—How far the extraordinary rise of prices all over Europe, within the last twenty years, is to be ascribed to a change in the supply of the precious metals? Has there been a similar depreciation in India? Has it been felt in a general enhancement of commodities; in the collection, for example, of the revenue from the zemindars, with whom Lord Cornwallis compounded for a money-rent? The “*Ayeen Akbery*” contains some very full and curious lists of prices; a comparative set of modern tables would render both prolific of general results.’

He thus resumed these inquiries connected with the currency question in a letter of 25th September:—

‘In a letter I wrote several months ago, either to you or to Erskine, I proposed some queries in order to obtain information about the change of prices in India. I wish to arrive at a sort of inductive conclusion, from a comparison of remote facts, respecting the recent variation in the value of the precious metals all over the world. If you can furnish me details enough to give a sort of Oriental tinge to my illustrations, I will humbly offer you a little essay for your infant society, where I observe that statistics and political economy are to be encouraged. I hope you will infuse your own spirit into the mass which they are to collect for you about Bombay and Salsette; and that you will direct them to include as much as possible the details of former times as well as the present. A statist does nothing for

philosophical economy unless he ascertains and describes *changes*, and such *relations* among his details as are matter of fact. Insulated particulars, however accurate, like those which the German statisticians are so fond of heaping together, lead to nothing; and perhaps the most faithful picture of the economy of a country, if it is taken only for a single point of time, may be considered rather as a curiosity for the library of a virtuoso than the materials of reasoning. A series of such, no doubt, would give the relations and changes that I speak of; but I fear that in undertakings of this sort we cannot reckon upon successors precisely to our own work. I doubt if I have shown myself in this explanation quite as distinct as I have been presumptuous in obtruding my immature notions upon you.'

Resuming the previously-quoted letter in a continuation of 9th April, we find him adverting to a totally different, but not less interesting subject—popular education:—

'I have directed two pamphlets to be sent out on the Education of the Poor, by Joseph Lancaster, a Quaker, who keeps a large free school in St George's Fields, the novelty and success of which has been very much a subject of attention here. I have likewise sent with them an account published here of a similar institution formerly established at Madras, but which I understand has been allowed to decline. By my sending these together, you will understand what I wish you would put into somebody's head at Bombay. While you are in Asia, you must comfort those whom you have left to regret your absence with the knowledge that you are sowing the seeds of all the blessings that we possess in this part of Europe. Your quarterly charges, your daily conversations, and your actual institutions, will strike an impression which no future negligence can wholly efface, and which moderate care may extend. We have hopes, some of us, that Lancaster's school may be the germ of establishments for a national education both in England and Ireland; he has got about 3000 copies subscribed for of a new and enlarged edition of his book (I have put down both your name and Mr Stewart's), and Foster has proposed to take him over with him to Ireland this summer, in order to introduce his methods there. You will find a good deal of novelty and ingenuity in all his plans for teaching the common elements; a great saving of direct expense of time too, and, what is more important than all perhaps, a great saving to the children of that languor and formal inactivity which are inseparable from the present method of teaching.'

Ten days afterwards he wrote a letter to Lady Mackintosh, from which the following passages are selected:—

'You ask me what progress I make in London. When I think

of that subject, I never cease to regret what I personally lost by your leaving it, both in immediate enjoyment and in permanent improvement. I have found no new acquaintances who can give me the society and conversation I found in your house; nor have I any hopes of enjoying anything of the same sort again until you return among us. I shall all my life remain a worse metaphysician, and more vulgarly a lawyer, by losing Sir James's tuition, and the stimulus with which he excited to great undertakings and good hopes every one's mind that approached him. * * *

This morning I returned from a visit to our poet Campbell. He has fixed himself in a small house upon Sydenham Common, where he labours hard, and is perfectly happy with his wife and child. I have seldom seen so strong an argument, from experiment, in favour of matrimony, as the change it has operated on the general tone of his temper and manners. The last little thing he has written is a sea ballad on Nelson's fight at Copenhagen, most parts of which are very successful. I shall enclose a copy of it for you. In the course of three months he will publish a little volume of such poems as he has written since the last; chiefly ballads and odes.

Till Lord Melville came to our relief, we have all this winter had but two topics of conversation—young Roscius, and the lectures of the Right Reverend our Bishop of Mickleham.* His lordship's success has been beyond all possible conjecture; from six to eight hundred hearers; not a seat to be found, even if you go half an hour before the time. Nobody else, to be sure, could have executed such an undertaking with the least chance of this sort of success; for who else could make such a mixture of odd paradox, quaint fun, manly sense, liberal opinion, striking language!†

The following extracts from letters to his old friend Lord Webb Seymour show a mixed feeling on the subject of the divergence gradually showing itself in their two walks in life—the manufacturer's son connecting himself with political parties and public life, and becoming a person of importance in the eyes of statesmen; the noble lord withdrawing himself more and more from contact with the world, and dwelling in his own thoughts and scientific pursuits:—

'July 9, 1805.—I have been going on very much as you left me, meeting with new people every now and then, and drawing myself closer towards the old. I reckon that about one in ten is worth seeing a second time, and about one in fifty worth adding to the permanent list. I cling to Smith,‡ and Whishaw, and Ward,‡

* The Rev. Sydney Smith's lectures on moral philosophy at the Royal Institution.

† The Rev. Sydney Smith.

‡ The Hon. J. W. Ward.

and Mrs Spencer,* with a very short list of &c. I have had frequent opportunities of seeing Lord Holland, and am delighted with his spirited understanding and the sweetness of his dispositions. In both respects he resembles his sister very much; and both of them are of their uncle's make. The strongest features of the Fox head are precision, vigilance, and, if I may apply such a word to the understanding, honesty: nobody escapes from them in vague showy generals, or imposes by ostentatious paradox; you are sure of getting both fair-play and your due; but you must give as much, or you have neither chance of concealment nor mercy. Watchful, dexterous, even-handed, implacable sense is their law. I have shrunk from it often with shame; and this I have felt as often in conversation with Miss Fox as with any of them.

September 13.†—Joy! a thousand times! my dear Seymour! I have not had such happiness to congratulate for a long time; and there is not a line in your wild letter that did not give me the same ecstasy. May you have unclouded health and peace to pursue objects that are so dear to you, and to drink to the bottom those pleasures which your long abstinence makes you more deserving of than ever! Yet I cannot help reflecting that this winter will separate us more than ever in our labours; when to meet again, at the place we parted, loaded with our separate and very different collections for the great and common purpose! You, I know, will move steadily on to your point; while, in the nature of my immediate occupations, and still more, alas! in the irresolution and debility of my own ambition, I see too certainly the trifling interests day by day that will consume away my years, and the habits that will imperceptibly unfit me for generous speculations. I already begin to look back with melancholy and shame on the acquisitions I have lost; and the only favourable symptom I can discover in myself is, that when I do indulge myself a little with philosophy, I fall to it with a devouring appetite. But this, too, may go with the rest, and abandon me to a false relish, not original to my nature, for the temporary and limited purposes of a London law life. *Nec inutilis toga* perhaps ought to bound my wishes; but I endeavour to fortify and raise myself by the examples of those (they are few) who in other countries, as well as this, but all of them in other times, have successfully combined the duties of the profession with other labours. You must forgive this desponding egotism; your letter brought it all upon my mind, and I have delivered myself of it for a while by expressing it where I know it will be understood.

I mean to be in Edinburgh for ten days about the middle of

* The Hon. Mrs William Spencer.

† The letter of Lord Webb Seymour, to which this is an answer, I have not found.—L. H.

October, and to leave London so as to take a good deal of exercise, and see something of Murray before we reach Scotland, where I shall lose him again in another crowd. We purpose, therefore, to set out in the first week of the month. I am necessarily detained here till then; Sydney Smith comes home upon the 1st, and Murray would like to see him once or twice; so would he you, if you can be here by that time; but that is of less consequence to him, as he will have you all winter. As you must go down rapidly, it will not suit us to travel together; for I really want exercise and air, and the sight of true green. But it will be quite practicable, I trust, to have some of our old walks by the Frith; and I shall rejoice to stay at Edinburgh a day or two more on purpose. In case you should find a morning so vacant before you come to town, as not to grudge throwing it away in giving me more tour directions, I may tell you that we propose to go down by Lancashire and Westmoreland, and if the weather is clear, to lounge away four days at some spot among the lakes wherever we can find the picturesque and comforts together. Give us a little *carte du pays*: your former instructions are not lost, but carefully laid up in Cary's map for a future season. We have settled it, I think, to enter Lancashire by Chester; and I shall propose to advance there rather circuitously, through Bucks, to Warwick, straight north to the Peak of Derby, and then across Cheshire by Northwich. Can you amend this scheme?

Present my respectful regard to the duke and the duchess. Ever most truly yours.'

A letter to Sir James Mackintosh of 25th September contains the following anticipatory reflections on the recommencement of the war:—

'You will see in the newspapers that we are upon the eve of a frightful contest upon the continent, in which the utmost we can dare to hope seems, that after several years of carnage and waste, we may be left still in existence as a nation. There is a confidence placed in Russia which I never could understand: she has no direct interest affected by France, and may be allured from our coalition in an instant by irresistible bribes. What will then be the peril of Austria, even if *her* fate should be protracted so long? We must do this, no doubt, because we cannot do better, and because we are at war; but it is miserable to think of the hazards we have brought upon Europe by this war of bullying, fear, and folly. Some people entertain an expectation that the conflict may be averted by a general negotiation; but that could only be reasonably founded upon the proof that Bonaparte was disposed to give up part of his immense gains to secure the remainder. They who dream of this seem to have considered neither his character nor the necessities of his situation.'

JOURNAL, dated *August and September*.—‘Mr Windham, speaking of Pitt, described him as being without affectation in the least, much above vanity. He considers him as having suffered greatly by having been introduced too soon to office, and losing the opportunities of seeing men and manners, except as a minister; not the most favourable way, Mr Windham added, of seeing men: had he only seen them for a little while, as his father did, in the army. In preparing his measures, he thinks more of the House of Commons than of their operation; satisfied if they will look well in statement—like those improvers of ground who will build you a house that shall look most picturesque to spectators on the outside, though within it be incommensurable. Mr Windham instanced the Parish Recruit Bill, and said this was the most satisfactory solution he had been able to give of Pitt’s failure in this and many other plans, when Mr Fox had observed to him that surely these were occasions on which it was Pitt’s interest to summon all his talents. Speaking of his going through military details—military cars, rockets, catamarans, &c.—Windham observed that Pitt’s judgment on such matters was generally bad, though he had a great talent in stating them. On another occasion, with Ward and John Ponsonby, when there was a great deal of conversation about the exercises and sports of the common people, the impolicy of suppressing them, &c.; and when we ran over the names of the different public men in the state and the law whose opinions upon such a point of policy might come to be of importance, I hazarded Pitt’s name—“Oh!” exclaimed Windham, “Pitt never was a boy; besides, such questions won’t conduce to make a minister.”’

Writing to Lord Webb Seymour on the 30th November, he says on the subject of his professional studies for the English bar:—

‘I mean to go into a lawyer’s office immediately, as soon as Whishaw can determine for me which it ought to be—a conveyancer’s, a special pleader’s, or an equity draughtsman: a good many things must be considered with respect to each. In the meantime, I am reading law, and making very virtuous resolutions: an arrear of business, of a more literary complexion, still hangs upon me: but I shall reduce it, I hope, before another year of wandering fires begins to shine on me.’

In a letter of 26th December to the same correspondent, we find him vindicating his conduct as a supporter of the policy of the Opposition, evidently in answer to some observations of the retired philosopher, probably to the effect that neither of the parties was perfectly and abstractly pure, or deserving of the confidence of a completely unbiassed mind. Horner says:—

‘There is a certain kind and quantity of work necessary to be

communication from them. In the course of Monday, however, they sent notice that they could not support the amendment: this must have been late on Monday, for at three o'clock that day Lord Cowper had no idea that the amendment would not be moved. In consequence of this defection, it was probably deemed prudent not to push a division, especially as there was so good a reason for postponing the discussion for a few days. This sudden turn of the Addingtonians can only be explained, since the amendment is so moderate, if not tame, by the report which we have had for some days, that the king wishes to make Sidmouth his minister since he is deprived of Pitt; and either from an understanding with the court already, or not to injure their chance by anything offensive, they have agreed to relinquish the hostility they had resolved on. A few days will explain this: I shall not be surprised in the least if we have again the Doctor, Castlereagh, Hawkesbury, &c. I shall be surprised, indeed, if, at such a crisis of peril, the country submits to it; but Whishaw says "the brute power of government will do anything." Tierney is said to be very angry at this conduct of the Addingtonians, which of course means that the Prince is; certainly last Wednesday he was all for an amendment.

Since writing the above, I have inquired into the fact more particularly. Lord Cowper told me that the Addingtonians did give notice that they would not vote for the amendment, but that this had no effect in postponing it. A few hours before going down to Westminster, there was a meeting at Mr Fox's house of a few of the principal persons of Opposition; Cowper was there; Fox stated to them that he thought it impossible they could enter into the discussion; he could not, while they had the idea that Pitt was in extremities—"mentem mortalia tangunt,"* he said. Cowper described him as appearing to feel very sensibly the calamity of his distinguished rival; and he described it by saying that Fox appeared to feel more than Lord Grenville, who was present also.

Jan. 23.—Mr Pitt died this morning.

* 'Things mortal affect the mind.'—VIRGIL'S *Æneid*.

CHAPTER VII.

AGE, 28-29.—1806-1807.

Formation of the Fox and Grenville Ministry—Account of the Negotiations—Sheridan—Concluding Extracts from the Journal—Offered a Seat in the Carnatic Commission—Acceptance—Advice of Friends—Romilly, and Lord Melville's Impeachment—Offer and Acceptance of a Seat in Parliament—Death of Fox—Remarks on the Crisis—Relaxation and Politics—Law Reforms—The Whig Club.

The formation of the Fox and Grenville ministry, important in itself as an era in history, was an event likely to produce a material influence on Horner's subsequent career, as being virtually the accession to power of the party with which he was connected. In his Journal, after some general rumours, we find the following entries as to events with which he had the means of being accurately acquainted:—

'Jan. 29.—At the interview which Lord Grenville had on Monday last, the 27th, with the king, his majesty, after customary compliments, said he had sent for his lordship to have his advice in forming a new administration. Lord Grenville answered that his sentiments on that subject were already well known, and that the new ministry ought to be comprehensive, &c. The king then desired that Grenville should without delay proceed to draw up such an arrangement as he and his friends might agree upon. Grenville said it was his duty to mention to his majesty that the person with whom he should consult upon this occasion was Mr Fox. The king replied, "he expected it to be so, and he meant it so;" then the conversation, in substance, ended, and the king went into another room: as he was going out, he said, "You will be happy, my lord, to hear that our troops will come safe home."

This account I received from —, who had it of course from immediate authority; and it seemed to be intended that it should be generally known, because some inaccurate reports of it were abroad.

In the interval between Pitt's death and the message to Lord Grenville—that is, between Thursday and Sunday—an offer was certainly made to Lord Wellesley from the remainder of the ministry, and of course with the king's approbation, to take the lead of administration. He declined it immediately, and distinctly. This was made known to the Prince, I presume, by Lord Wellesley himself, who has courted his Royal Highness since his arrival very assiduously, and with success: the Prince mentioned it to Mr Fox as an instance of great generosity in Wellesley. Mr

Fox probably viewed it as belonging rather to the virtue of prudence and address. This was mentioned to me by —.

Sheridan is very little consulted at present; and it is said will not have a seat in the cabinet. This is a distressing necessity. His habits of daily intoxication are probably considered as unfitting him for trust. The little that has been confided to him he has been running about to tell; and since Monday, he has been visiting Sidmouth. At a dinner at Lord Cowper's on Sunday last, where the Prince was, he got drunk as usual, and began to speak slightly of Fox. From what grudge this behaviour proceeds I have not learned. The whole fact is one to investigate with candour, and with a full remembrance of Sheridan's great services in the worst times to the principles of liberty.

Jan. 31.—So Lord Holland, according to the projected arrangement, has *not* a seat in the cabinet. He has been too disinterested, and the future operations of this ministry may suffer for it. He determined not to take a step higher than Lauderdale, who has been absent all the while; Holland would not consent to be raised over him. He has given way likewise for Lord Henry Petty, in order to secure him a high situation. Lord Grenville was desirous to have the home department, on account of the difficulty of holding together the offices of first lord of the Treasury and auditor of the Exchequer; in that case, to make Mr Fox first lord, and Lord Holland secretary for foreign affairs; Thomas Grenville chancellor of the Exchequer, or Mr Grey; and Lord Henry Petty a lord of the Treasury.

Adam,* at his own request, is left out of the present arrangement: he probably would find it inconvenient at present to sacrifice to a high station his various occupations.

The seals were offered to Chief-Justice Mansfield, who refused; then to Ellenborough, who likewise declined them on the score of his family, speaking at the same time to the Prince in the most proper manner of Erskine: Erskine has been all along perfectly accommodating.

Lord Sidmouth wished to have one friend introduced into the cabinet with him, and he named Lord Buckinghamshire; he was refused; and it was agreed that Lord Ellenborough, as a friend of Sidmouth, should be introduced into the cabinet. A very judicious nomination, considering Ellenborough's original connections; but not agreeable to what one should describe as the most suitable line of conduct for a judge.

Nothing can exceed the cordiality, reasonableness, and moderation with which the whole progress of the arrangement has been conducted on both sides. Whoever knows Mr Fox at all, needs no authority as to him: he is in every respect most perfectly satisfied with Lord Grenville.

* The Right Hon. William Adam.

February 3.—On Saturday evening, the 1st instant, between seven and eight o'clock, the king sent for Lord Grenville, and made no objection to any person upon the list he had presented at the former interview. They passed from that to what was proposed as a sketch of the fundamental measures of the new administration, contained in a paper which had been drawn up by Lord Grenville and his friends. Whether this had been delivered to the king along with the list of ministers at the first interview, or was now read to his majesty for the first time, I have not been able to learn distinctly. One part of the paper was to this effect, that in the present dangerous circumstances of the country, it was necessary that the unreserved management of the army should be in the hands of ministers. The king stopped at this; he observed that it had always been understood, at least since the time of the Duke of Cumberland, that the entire control and disposal of the army belonged to the crown; and he asked whether it was meant that the Duke of York should be turned out! Lord Grenville answered that he could not enter into any explanation of measures further than the paper which he held in his hand. His majesty replied that it was necessary he should take this again into consideration. At his interview his manner to Lord Grenville was perfectly civil.

This morning, at noon, Lord Grenville had another interview by order of the king; at which his majesty gave in writing his view of the subject on which he had stated his objection at the last interview. From this paper, I understand, it appeared that his majesty had misconceived the intention of the persons who are to form the new administration: he had supposed that they meant to impair his royal prerogative of defending the country, and his written paper claimed the preservation of his negative over all their measures with respect to the army. Of course there could be but one answer to this—that they could have no intention to withdraw any part of their measures from that negative to which they must all be subject. This last part of the story I have heard very indistinctly.

Feb. 5.—Lord Grenville, at the outset, stated to Mr Fox, as a condition of their forming an administration, that the accusation of Lord Wellesley should not be made a cabinet measure. Fox yielded to this, but said he would not pledge himself not to support the accusation if it were otherwise brought forward. Lord Grenville required also that no person should be appointed president of the Board of Control who should bring forward the accusation of Lord Wellesley as minister of that board. This was agreed to.

Among the last entries in his Journal there is the following, dated the 1st of February 1806:—

'The events of this week have led me to review very anxiously my original schemes, and to consider my future prospects. I have fortified myself by referring to such notes as I had put down from time to time in the course of former meditations of the same kind. I shall collect them here, as much in the order of time as I can.'

Then follow a number of notes, written at various times, on fragments of paper, the most of them with dates, which are stuck with wafers upon the leaves of the Journal, each leaf being headed 1st of February. In some of them the words are so abbreviated that they are not intelligible: those that are distinct I insert here, as they are characteristic of Mr Horner's habits of reflection, self-examination, and system; and as they serve to indicate what were still the objects of his ambition at this more advanced period (the commencement of his political life), and the principles and rules of conduct by which he purposed to guide himself.—L. H.

The first in order is thus headed:—

"*Georgica Animi, et Fabrica Fortuna.*" *

1802, May 9.—*Walk.*

Political engagements, perhaps about fifty years of age—interest and study to be pursued till active scene opens. Must act upon the vantage ground of independence acquired professionally, as well as of professional reputation.

1802, May 10.—*Study.*

Subjects of Meditation.

1. Society to form in metropolis—characters to study—scale of intimacies—in what consists intimacy?
 2. Style of conversation to cultivate.
 3. The use of other men's minds in conducting self-education.
 4. The regulation of ambition in all its shapes.
 5. Regulation of political sentiments, connections, and conduct.
 6. Regulation of all the habits and feelings connected with money. This more immediately necessary from carelessness, want of economy, &c.
 7. Immense importance of steadily systematising all views and plans of life, and of so providing against contingencies, as to put happiness at least out of the reach of accident.
- In the cultivation of moral feelings, of great utility to lay hold of dignified sentiments and pleasing associations, however furnished—whether by poetry, by moralists, or by actual scenes of life.
8. Expression of opinions concerning religion.

* See before, page 118.

9. Various intellectual powers to be acquired, and habits to be guarded against.

May 11.—*Walk.*

10. Corrective discipline of feeling; give more truth and more enlargement.

11. More acute sensibility to the proprieties of conversation, character, and company.

June 11.—*Evening.*

Political *virtue*, political *sagacity*, political *science*, are three great branches of habit to be cultivated; and so that, by being blended together in the mind, they may strengthen as well as purify each other.

November 26.—*Evening.*

Future prospects, "*usque ad extremum vitæ*"—"even to the extremity of life"—arranged and defined; namely—

Object.—Influence in advancing the progress of the public mind and the public fortunes as a political philosopher; by situation in active life, if circumstances permit; if these should fail, by writings addressed to future ages.

The three great preparations for this noble scheme are—a complete study of political science, and the acquisition of powers as a public speaker and as a writer. In the present aspect of my future life, which is ambiguous, I must apply resolutely to these three objects; all of which will be useful, whatever line my fortunes shall take.

It is to give myself a chance for *acting* in public life that I shall laboriously devote myself to the law; if I succeed in which, I have two chances for a public scene: either as a judge, which, if in a supreme situation, I should consider as the most dignified, and in which a beneficial and permanent influence might be impressed; or, secondly, upon the foundation of an independence acquired professionally, *place myself* in a public situation where the results of political philosophy may be applied to the exercise of the great duties of legislation.

If I do not succeed in the profession, I must of course give up all thoughts of active life, and endeavour to exert that influence, and to enlarge those results, by compositions of a general nature. The sketches of all these must of course be formed in that course of study which prepares me for either alternative. It seems to me wise, it is at least pleasing, thus to place my schemes of ambition beyond the reach of accident; and to plan out for myself a scheme of industry in which, while my mind and its faculties remain unimpaired, I can never fail to find such opportunities of exertion as may at least keep me perfectly happy in myself, and perhaps render me in some small degree useful to mankind.

The study of *political philosophy* must undoubtedly com-

mence with a general survey of philosophical logic, in order to define steadily the object of inquiry, and to acquire a just confidence in the means of investigation specifically adapted to that particular branch of science. This survey of logic implies a view of the relations in which the various sciences stand to each other, and of the various methods by which the powers of the understanding are aided in prosecuting scientific investigations, the general relations, &c. The two most remarkable methods are the *mathematical* and the *inductive*. The mathematical method includes a considerable variety: I must examine the general principle in which all of them agree, and the circumstances in which they severally differ.

1803. *October 8.*—Object and plans systematised; views of regulated ambition; scheme of domestic society; arrangement of remote views; sedate, practical, calm prospect.

Of the interval that must elapse before the domestic scheme is completed.

Limitation of objects of study and ambition.

Papinian, Malesherbes, Lord Somers, Sir Matthew Hale.

Domestic ethics.—*Op. desid.**

November 21.—Much occasion for self-reproach on account of irregular performance of professional and of literary duty—for want of economy, management of time, &c.—idle literary musing. Should not indulge in that literature which is so delightful till the *duty of the day* is over, and should render that delight more toilsome by systematic object and dogged pursuit of it even then.

Prospect, cold and prudential, of future life; both with respect to ambition and to domestic arrangements.

Nov. 29.—Systematic opinions, at least steady and systematic views of object of government under form like ours; regulated views of ambition; strike just medium of approbation and feeling with regard to present state of affairs and opinions; ambition of office under the Roman republic compared with that under English monarchy; ambition of legal office, in what respects similar to that of political office, and in what different; rules, reduced into practical and ready habit, for judging of the political integrity of public characters; not even acquainted with the duties and proprieties of such a situation.

1804. *January 9.*—Use to be made of individual minds: Sharp, Rogers, Whishaw, Smyth, Dumont.

Form a connection with the Whig aristocracy of England. Upon what footing do I join? Upon what footing am I at present received or invited? As lawyer to be—as having already studied political philosophy: preserve this independent cha-

* Probably, *opus desideratum*—[a desired work].

racter. Early part of Burke's life—Lord Somers's—Romilly's. Transfer of examples and maxims from Plutarch and Livy to England.'

The following letter to Mr Murray gives an account of an event important in Horner's personal history—an offer made to him of a species of public appointment:—

THE TEMPLE, 28th February 1806.

For the last four days I have very reluctantly put off my intention of writing to you about a piece of business and emolument which has been conferred on me, until I could inform you that the appointment was officially fixed. I have not yet received that sort of intimation, but I believe there is no uncertainty about it; and I should be sorry if you were to receive any report of it before you were assured of the fact by myself.

Last Monday evening, almost at midnight, I received a proposal from Lord Minto to accept of a seat at the Board of Commissioners, established by the East India Company, to adjust the long-disputed claims of the creditors of the nabob of Arcot. The seat was vacant by the resignation of Mr Ryder, Lord Harrowby's brother. I had but a few hours to deliberate upon the matter; however, I employed them in taking the advice of Lord Holland, Allen, my father, and Whishaw. I then intimated my readiness to accept of the situation. The points of consideration in my own mind were two; both very material, and either of them perfectly sufficient, if unfavourably determined, to have decided me against accepting of the place. The one was, whether this obligation received from Lord Minto, at the same time that it bound me to gratitude for a very considerable, unexpected, and unsolicited favour, could ever be construed into a political connection with his lordship personally, or fetter in any measure the freedom of my opinions or future conduct in matters of government. My own scruples on this point were entirely dissipated by the manner in which they were treated by Lord Holland and Whishaw, and afterwards by Lord Henry, to whom I had not an opportunity of stating them till I had accepted of the offer. The other consideration was, how far the occupations of this commission would encroach upon my time, or interfere with my preparations for the great purpose of my whole life—success in the law: upon this part of the case I have yielded to the authority of Whishaw, though not with so absolute a consciousness of the prudence of the measure in this respect as I should be happy to possess. It must occupy a great deal of time, I suspect, particularly at first; the investigations, however, are very much of a legal character, as our business is to determine the validity or fraud of claims of debt.

The Indian details, which must be taken into evidence, will not be altogether foreign to my own plans of political reading. You see thus that I am upon the eve of being a sort of placeman. I expect to receive your opinion as to what I was forced to determine on before I could take your advice, and also your advice for my future operations. As I have not actually received my appointment, you need not mention it till I give you notice of that, unless it should be talked of, when you may of course explain the matter to my friends. I owe it entirely to the kindness of Lord Minto, whom I have never known much, and who upon this occasion was neither solicited by myself nor prompted by any of my friends.

6th March.—I have only a minute to give you; I have heard nothing farther on the subject I mentioned to you in my last letter; only be assured of this, that I shall accept of no employment, whatever the reward may be, that would interfere with my views in the law. In truth I have not yet been able to collect information enough to satisfy me upon this head; and therefore the acceptance on my part is not yet definitive. I am quite positive and clear-sighted upon the prudence of making the law my ground. I repeat this so often, because you may have given way to a little of the suspicions which I can see are entertained by some of my friends who know me less than you do.*

The kind friend to whom these letters were addressed offered him the following counsel, which, though not absolutely adopted, appears to have had considerable influence on his future views: *—

‘EDINBURGH, 11th March 1806.

Before I write of anything else, I must talk of what interests me most, which is your appointment. I enter most completely into all your views, especially that which you have expressed so strongly in the letter I received to-day, that you will not accept of the situation offered if it shall interfere at all with your progress in the law. There is great wisdom in forming that resolution. No political situation is half so respectable. I think, however, there is some risk that, although the business which it will give you will not prevent you from carrying on your legal studies, it may ultimately lead to some political situation. I therefore wish to strengthen all your resolutions in favour of the law; and wish

* Writing to his father on 20th August 1809, after he had resigned the appointment, he says:—‘I have great pleasure in the prospect of so many mornings to myself for reading, having scarcely known that for a fortnight together since I entangled myself in the Carnatic commission; which I shall always consider a blunder in my plans, and a blunder wholly my own. I should have known more law by this time, and more of public business too, if I had not yielded to that temptation; which was a departure from my general scheme of life, and against which Murray warned me at the time.’

you, while you accept of this situation, to be much on your guard against yourself.

Seymour and I have talked a good deal about you, and I observe he is much more doubtful whether you will ultimately follow out your legal views than I am. I own my chief objection to a situation of that kind to a young lawyer is, the income which it gives. I believe that a certain amount of poverty and difficulties is essential as a stimulus for submitting to legal drudgery. After the habits are once formed, they can be preserved without the same motives. I own, therefore, I wish you had got through the labours of the Special Pleader's and Draftsman's office. That is the only difficulty I have; but I am confident you can surmount it. There are some things, however, which I hope you will have constantly in view, and I shall never fail in reminding you of them from time to time—first, always to live in such a manner as will expose you to no inconvenience if you shall give up your present situation; I could almost, in that point of view, wish there was no salary attached to it, because it is hardly possible to receive a salary without living upon it as permanent. You must also consider that when you come to engage in the active pursuits of law, you must give up what will not be reckoned income, but what is much more gratifying to your feelings—I mean the enjoyments of a most refined society, where you possess every luxury which the largest fortune could give you. I have no doubt that, if this business of the nabob of Arcot's were at an end, you would be desired to accept of some political situation which would both present to you all the allurements of an income equal to your wants, and would be perfectly compatible with remaining in the society which you like. This you are fully on your guard against; but, as Dr Grieve would say, you must watch round Zion.

The next thing to be considered is, going into Parliament. If you accept of this situation, I should think it very probable you will be offered a seat in Parliament. I do not say immediately, but in the course of the year, or at the next election. I should not have objected to your going into Parliament, if the former ministry had attempted to keep their places. It would have been a most laudable act to have assisted in driving them out; and the state of the country was such as to make it a duty to sacrifice everything else for such an object. But Parliament does not now give the same field for showing talents; and if a person goes into Parliament with a party who are in power, he will feel himself strongly called to remain in it should they be forced out of power. I think that would be your feeling, though it is not the sort of motive which weighs with vulgar politicians. It would certainly be a gratification to you to be in Parliament; but I think you ought to be on your guard against it on that very

account, and to resolve firmly, on no account, and on no terms, to go into Parliament.'

The following are further extracts from Horner's letters to the same friend :—

'THE TEMPLE, 15th March 1806.

Since I wrote to you last, my appointment has been completed, and this day, to speak accurately as a commissioner, I took my seat at the Board. I know little as yet even about the probability of my being much engaged by this business; there will be a good deal of Indian detail to learn, and occasionally perplexed points of evidence and law to adjust. All this will be good for me, and to my purpose. I cannot speak of my colleagues yet, except that they received me with great civility, and are gentlemen in their manners: there is a good-natured importance of office in Hobhouse,* which seems as if it might be easily satisfied; and I hear very good reports of Mr Cockburn,† but the best I know of him is, that he knows my friends the Riddells. Set your mind at ease about the salary; I believe it is to be just as you would have arranged it—that is, there is to be no salary at all, nor any present emolument. I have made no inquiries upon this part of the subject; I told you the hint Lord Minto dropped about a fixed allowance; the chairman, however, in a parenthesis of the same sort, gave me to understand that there was no intention of compensating us, except by a vote at the conclusion of our labours. This is the part of the business about which I am least concerned, though I am not fool enough to say this to anybody who is not ready to take it on my word. It would be very satisfactory to me to have a permanent enlargement of income, which might enable me, if not to establish myself, at least to ease my father of what may be required for the establishment of other members of the family. But a precarious income would very probably render me liable to those contingent disadvantages which you have so justly stated. If I do justice to myself by working at law, I have but little fears of being independent at least, as soon as perhaps it would be good for me. You understand all this perfectly.

I cannot express to you how keenly I feel all your kindness; your letter yesterday, on which I have volumes to write to you, increases all your former proofs of it. I have a truly friendly letter from Seymour to-day, which I will acknowledge in a post or two. Of course I intrust you to communicate to him, Jeffrey, and Mr Stewart, whatever you choose with regard to my concerns.

25th March.—The first thing I wish to say to you is about your

* The late Sir Benjamin Hobhouse.

† Thomas Cockburn, Esq., late in the civil service of the East India Company at Madras, now resident at Southampton.

coming up. I own to you that I see nothing at all—not a jot of reason—in the additional argument you state to William, though you do not indeed give it very great weight, that you do not wish to have the appearance of coming near those who are in power. My dear Murray, you are strong enough to entitle you to despise all inferences from appearances; and one shall never get on in the straight road if one turns out of the way to escape such inferences. No human prudence will guard you from suffering transient imputations from the mean and malignant, who will invent against you when there is nothing visible on which to fix their constructions; and this temporary inconvenience, which the most honourable must undergo, is in the end fully compensated for by the certain triumph of consistent practical independence. No man is so sure of this victory as yourself; and indeed no one is so little exposed even to malignity and calumny in the meantime. Upon this point, therefore, my counsel is, that you ought not to take the least thought about saving appearances. I quite agree with you that it would be extremely detrimental to your dignity if your very near friends were to make applications for your advancement to professional offices; and I have this impression strongly with respect to my own conduct. I should be considered as representing yourself in any solicitation I should attempt. Your letter to William confirmed me in that idea of propriety. * * *

Your main objections to the late appointment I have accepted I have already removed; since it gives no immediate income whatever, and can have no tendency to entangle me in politics more than I am already. It is entirely a business of legal arbitration. I am most firmly determined to accept of no political situation under any circumstances that I can at present foresee: this may be a piece of superfluous virtue, as perhaps no such thing would ever be put in my power; it is a virtue, however, for which I believe I can answer, if the trial should come. Every day I have lived in London, and every hour since my own friends came into power, has driven and rivetted this opinion into my mind, which I had already formed very clearly before I quitted Scotland. I believe my friends overrate my ambition immensely, or mistake it; my indolence, my love of quiet lazy pleasures, my habits of indulgence, my gratifications in speculative truth, are so many pledges for my good conduct in this respect. As to accepting a seat in Parliament, if that should ever be offered to me, I am not prepared to acquiesce entirely in the reasons you have stated, which I mention in order to excite you to a further consideration of the question. Parliamentary distinction forms now but a very small part of my objects; I cannot give myself up wholly to political discussions, and I will not do it by halves: those departments of public business in Parliament,

which are connected with the studies and knowledge of a well-educated lawyer, or relate to the improvements of domestic administration, remain open to me; and in these I have some desire to be useful, because a great field of utility lies before one in the present circumstances of this country. If anything is to be done in my time upon these subjects, I should like to bear a share. There is another sort of parliamentary discussion which I like to keep in view: though it has been for some time past out of fashion, it is not out of date, but I am persuaded will revive with fresh vigour and new honours; I mean that which is called Constitutional Law, the sound exposition of which needs the combined accomplishments of a lawyer and practical statesman. If I am ever destined to put my name upon the journals of Parliament, my ambition is to connect it with one or the other of those two branches of public business. Now an early seat in Parliament is advantageous in both respects: for the former, because it is only by seizing successive opportunities, which arise at distant intervals, and each but of a narrow scope, that good is ultimately to be secured by a gradual accumulation of very small portions; and for the latter, because long habits of seeing the constitution actually at work are the only effectual education to the trade of keeping it in order. In all this I take it for granted that the seat in Parliament is to be offered to me in a manner beyond all exception; which, so far as I see the state of matters at present, amounts very nearly, I assure you, to a negative upon all these pretty visions. But we proceed hypothetically in the whole of this consultation. I would not accept of what is called a Treasury seat in Parliament, from which I should be turned out upon the next change of ministers. A good close Whig borough, the property of a very stanch old Whig family, might tempt me; though even that is not free from objections. I had much rather go in as an opposition member at all events.

12th May.—The great event which occupies us all in London has drawn nearer its conclusion, and has already passed its most critical stage. In the view which I take of the lasting consequences that will ensue from the result of Lord Melville's trial, I might have expected that no circumstance could collaterally add any interest to it. But as Saturday drew near, my anxiety for Romilly's first public appearance had swallowed up every other concern. It was not that I felt any doubts of his talent for the conduct of such an affair, or that I was not even quite sure he would distinguish himself greatly; it was this very confidence which filled me with solicitude to witness all the circumstances of an occasion which was to reward a long course of severe independence, modest study, and the practice of every virtue, by opening to him a new career of utility and fame. He has now

placed himself in his rank; the notoriety of his talents and accomplishments assigns him already his station as a public personage; and the proofs he cannot fail very soon to display of resolute consistency in political principles, will so attract to him, I am persuaded, the confidence of all liberal men, that in the times we have to observe or act in he must have the most important weight in the state. Among the many circumstances which sadden me respecting the race of public men now coming upon the stage, it is a compensation almost against them all, that, for a period at least, we shall have Romilly's exertions and name on the side of liberty and justice. Perhaps you will think my language exaggerated; I can only say that it very faithfully expresses my present sentiments and expectations; though it is possible one's fancy might be heated, after having long revered the past tenor of his life, to witness it in the very act of spreading out into a larger sphere, under all the splendid circumstances of the audience and ceremonial of Westminster Hall. But I must come down to particulars.'

EXTRACT FROM A LETTER TO MRS DUGALD STEWART.

'MAY 19, 1806.

Romilly's success was as great as his friends predicted. He spoke for three hours and a-half, and his speech might be named as the model of the simple style. Had he hazarded more, he might have produced passages of more striking effect for a moment; had he been more declamatory, he would have collected more suffrages in the express praise of his eloquence; for I have heard it observed that the speech had nothing but good sense, perfect clearness, and a strong cause. The fact is, he kept every one chained in attention, and made the whole case distinct to the dullest. Particular parts of the composition there certainly were that might be enumerated on account of their being more impressive, more indignant, more finely pointed, than the rest; but they were so in *keeping* with the whole, that the prevailing tone was only heightened, never interrupted. One might have said his taste was too severe, too simple, if it had betrayed itself by a single false step; but it was so maintained throughout, and the execution all so uniform, and the general designing of the speech in so great a style, as to give it the rank of the highest order of compositions. It wanted only a finished conclusion; for he ended abruptly: he had one prepared, but something, he says, occurred in the course of his delivery which prevented him from giving it, and he did not like to venture a composition of that formal sort upon the spot. I very much suspect that the fastidiousness of his judgment, his great modesty and horror at anything like display, rushed all back upon him

about ten minutes too soon. His language is free from all ambition and curious adaptation, and therefore one never remarked felicities at the moment; and if he used any figurative expressions, they were so melted into the substance of his style as to produce their effect without being noticed.'

Horner was now about to accomplish a new and great change in his position. The prediction of his friends, that he would speedily be offered a seat in Parliament, was fulfilled in the manner described in the following letter of 26th June to Lord Webb Seymour:—

'There is a subject on which I should most anxiously have consulted you within these four days, if I had had you here; I was not altogether unprovided with former meditations of my own upon such a contingency, nor with the result of former counsels with my few intimate friends as well as you; but at the last I have been called upon to decide with less discussion at the time than I like to have. A proposition, in short, has been made to me to come into Parliament at the next general election, and I have declared my readiness to acquiesce in the proposed arrangement. I am not yet at liberty to explain to you the particular quarter from which this offer has been made to me; though very unexpected, there are circumstances in it both gratifying and respectable, and, upon the whole, quite as satisfactory as any introduction into the House of Commons can be that is not obtained in the way of popular election, or by one's own money. It is proper that you should keep this information entirely to yourself at present, for many reasons that affect others as well as me. But on all occasions that so deeply concern me, I have a real comfort in confiding myself to you. I shall see Murray so soon in person, that I shall hardly make the communication to him till then; indeed the opinion which I know he entertains upon this subject makes me feel far from being satisfied with the step I have taken, for he will regard it, I fear, as a very imprudent risk. After turning it, however, very often in my mind, when I fancied the possibility of such an offer being one day made, I have never succeeded in subduing my strong inclinations, nor even in beating them out of the argument. A risk no doubt there is; but it is the risk inherent in the plan of life which I have long ago sketched for myself, and to which my ambition and my most reflected principles of approbation are steadily attached. A lawyer only I never could consent to be, no more than to be merely a political adventurer; for mere emolument has no other attraction for me but the independence it gives, and mere office has no attraction at all. To carry on at the same time my professional views, and to bear a share in the great interesting discussions of public business,

forms a combination not often tried with success, but which I long ago resolved to try. The question no doubt still remains, whether the active union of the two may not be attempted too soon; and if I have solved this question at all to my satisfaction it is in this way, that I *am* about to begin it somewhat too soon: but opportunity is an element to be calculated in all such reasonings, and is one risk of another sort with which the other must be balanced.

Though I have gone so far as to express my willingness to accept of this proposal, it is not yet definitely settled by any means; for I have not had an interview upon the subject with the person principally concerned, and many accidents may be in store to disconcert the arrangement. But it will probably end successfully, or lead to something else of the same sort.

I expect and request to receive your sentiments upon what I have now explained to you, as well as your counsel with regard to the future. You know how much I value your opinions; and I am sure they have upon many occasions kept me more firm, as well as more delicate, in my conduct than I could otherwise have been. You are in this particular affair already committed too, both by the constant tenor of your advice to me, and particularly by the effect of a letter you wrote from Oxford last September, which, with another from Murray of opposite sentiments, and one from Jeffrey more consonant with yours, were the privy-council I carried with me to Hampstead on Sunday last, when I deliberated upon this important measure. I settled it in my own mind first; and I am happy to say that I have received the approbation of my father and Whishaw, to whom alone I have made it known.'

The reader is more fully admitted into the secrets of this negotiation by an entry in Horner's journal a few days earlier in date:—

JOURNAL. '*Monday, June 23.*—Dining at the Duke of Somerset's on Saturday, where Lord Henry Petty was, he took me aside in the evening, and communicated to me a proposal from Lord Kinnaird to bring me into the House of Commons next Parliament. The intention of Lord Kinnaird was, he said, to purchase the seat in one of those burghs where the Treasury alone could oppose him, provided the Treasury waived their right of interference, and to nominate me (if I consented) to the seat: Lord Henry Petty added that he wished much to see me in Parliament, and that he was sure there would be no difficulty in securing that arrangement with the Treasury. My answer was, that it was a subject on which it would be necessary for me to reflect for a few days before I could come to a decision; in the meantime it was necessary for me to say, that I could myself afford no expense; that I would never come into Parliament with instructions from any man; that my political attachment was to Mr Fox's party;

that it would be right, therefore, for me to be satisfied that Lord Kinnaird's views were in the same direction, and likely to be steady, but that upon that point I should chiefly rely upon his (Petty's) opinion. Lord Henry then said, that he had himself considered the proposal repeatedly in this point of view, and that he was very much satisfied of its propriety in that respect. I requested him to weigh it over again in his mind before I had an opportunity of seeing him; and I said, that if that point of the case were quite right, I should think this mode of coming into Parliament very respectable and honourable, and that at anyrate I was much affected with such an instance of Kinnaird's esteem, with whom I had maintained but a very slight intercourse since I came to London, though we had been intimately connected at Edinburgh. Lord Henry said, he had no doubt of Kinnaird's steady attachment to them, that his marriage would probably corroborate it: he had views of his own no doubt, but he (Petty) thought they were very fair. This, I suppose, alluded to a demand of a British peerage.*

The letter to Lord Webb Seymour elicited an answer disapproving of the acceptance of the offer. The following passages are selected from this document:—

'In order that you might hold the proud station in public life for which I have always destined you, I wished to see you step forward from the firmest basis of independent character, and with this independence of fortune is closely connected. A few years devoted to your profession would have given you, not independence of fortune, but that to which you might ever after resort for such independence. They would have given also a greater stability to that high, disinterested character which you have justly obtained among a large circle of men of rank, talents, and virtue, and there would have been a dignity arising from the rejection of those sources of emolument or distinction, which it must be known that friendship placed within your reach. You would have found advantage in the longer period afforded you for forming a candid estimate of men and parties, for collecting information respecting the circumstances of the country, domestic as well as foreign, for digesting plans of legislative improvement, and, I may add, for strengthening, during a close insight into the course of affairs, those principles which seldom continue unimpaired amidst the violence or the cankering corruption of party zeal. * * *

As to your profession, I tell you frankly, that as soon as you enter the House, I think it will be almost totally neglected. You may promise, perhaps, to confine yourself to the great questions of parliamentary discussion, but considering the interest you have

* This is the last entry in the Journal.

always taken in politics, and the power of speculations in political economy to seduce you from the study of law, it is plain that much of your time will be occupied by the legislative application of your favourite principles in measures of local or inferior importance, especially as the gratifying pursuit will be sanctioned by a sense of public duty. * * *

I have pictured a man of a high spirit of independence resolving to advance himself by his own patient exertions in a profession of which the practical details are ill-suited to his habits—distracted from the prosecution of it by a taste for higher intellectual occupations, and by a nobler ambition for political fame and influence—often from principle refusing, and yet often accepting, the prizes which fortune, impelled by his own merits, and by his own desires, however restrained, still throws in his way; and rising ultimately to the highest stations, partly by favour of successive accidental circumstances, which a dignity of mind that gave him a confident hope to command his destiny, would have never allowed him at the outset to take into calculation.’

Horner’s reception of his friend’s advice, as expressed in the following letter, is remarkably characteristic of his calm and reflecting mind:—

‘THE TEMPLE, 11th July 1806.

MY DEAR SEYMOUR—Your letter arrived while I was in the midst of a legal meditation for the House of Lords to-day, adjusting this argument here, and that there. You put them all into medley; and the picture I had been drawing in my head is become more like a painter’s palette than his canvas. I cannot set to my work again without thanking you for your valuable and truly friendly communication: I shall take up the whole subject again anew, nor shall I find any difficulty in retracting the consent I had given, if I ultimately determine that to be the right thing to do. In my former consideration of the subject, I confidently set down your opinion on the affirmative side; after detecting such an error in my data, I must go over the whole calculation again. I never can be sufficiently grateful for the possession of such friends as I have, though, alas! they are most of them four hundred miles from me. They overrate me excessively; but by striving to make myself worthy of part of their opinion, I shall accomplish more than any other motive would have secured.’

The political crisis created by the death of Fox elicited the following remarks in a letter to Jeffrey of 15th September:—

‘It was the day you left us that Fox was again taken ill; and he is now no more. It has been a painful, anxious week; for after all had been given over, there was a strange renovation that de-

luded us, in spite of our despair. It is a cruel disappointment, if one thinks of the hopes so recently indulged; and a cheerless prospect forward. The giant race is extinct; and we are left in the hands of little ones, whom we know to be diminutive, having measured them against the others. Tell me what view you take of our situation where you stand: careless as you are of public events, you are not indifferent, I know, at these critical moments, when lasting and large interests are involved in the turn which is given to the conduct of individuals. I have had but a short time to collect my thoughts; my own little line of conduct was long ago determined: but one must form a sort of chart of the future, in order that our rule may be wide enough, at least to embrace the probable accidents that will occur. I look upon what has been called Mr Fox's party—the remains of the old Whig faction—as extinguished entirely with him: his name alone kept the fragments together, after the party had been long ago broken to pieces. At the same time, I cannot resist the conviction that, in spite of appearances, there is in the middling order of people in this country a broad foundation for a popular party, constituted by the opinions, interests, and habits of those numerous families who are characterised by moderate but increasing incomes, a careful education of their youth, and a strict observance of the great common virtues. No doubt this is the genuine democracy, if they preserve their weight in that public voice, which government must obey. Many circumstances have occurred of late years to depress the just influence of that order of men; and it is melancholy to think that they are the very circumstances which have brought other free governments to an end—an overgrown foreign trade, the dependencies proceeding from too bulky a system of finance, and an augmentation of the military force on account of foreign danger. These causes, I am persuaded, have already both undermined our institutions, and vitiated the sentiments and character of the nation. At the same time, it does strike me very forcibly, that the great number among whom wealth is diffused in considerable yet equal portions, the tolerably good education that accompanies it, the strength of physical and moral forces that are thus combined in a population to which both order and freedom are necessary, form a new case very different from any former example; and it is from this aspect of our condition that I take my hopes of there being still a chance of defending successfully the liberties of England, chance enough to make it a reproach for ever against the present age if it does not make a trial at least. We are deprived by this calamitous death of our great leader in all popular principles of administration: no man of acknowledged and commanding talents is left to supply his place. But there are a few men whose integrity and steadiness have been tried; and a few others, younger men, who are confided in by those who know them best.

Howick, Landerdale, Holland, and Petty, are the persons in whom I am inclined to repose my confidence; though it seems to me that they ought to yield the supremacy to Grenville, while he perseveres in the same honourable conduct to which he has adhered since his junction with Mr Fox. The new appointment will be a sort of test; not precisely the disposal of the seals, but the manner in which the vacant seat in the cabinet is filled. I look with very great solicitude to the course of parties during the next six months; it will be a period probably, though not at first, of severe and decisive probation. I have no fears of Lord Grenville himself; he is free from all levity or fickleness of conduct certainly, and has given pledges which he has too much obstinacy as well as honesty to forfeit. A few years of opposition gave him some sentiments which will remain; and the circumstances of his family, their influence, fortune, and pretensions, make them now a knot of aristocrats, not ready to submit to the crown, but disposed to make terms. You perceive, therefore, that I consider an alliance with the Grenvilles as a measure of prudence for the Whigs; but my speculations will perhaps appear as fallacious, as you would think the subject of them unworthy of a *philosopher's* approbation, even if they were better founded in themselves. These chances and changes, however, will irresistibly engage my curiosity and reflections for a little while, till I can settle my expectations of what is probable; and I hope you will not wholly refuse to let me have the benefit of your observations.'

The following letters contain a full statement of the circumstances attending Horner's election for St Ives:—

FROM LORD KINNAIRD.

'DRIMMIE HOUSE, 19th Oct. 1806.

DEAR HORNER—By the good offices of our friend Petty, I have obtained the promise of a seat in the next Parliament, which he has taught me to believe you will not decline. You are too well acquainted with me to suppose that I attach any condition to this offer; and I have known you too long and too well to doubt your immediate rejection of it, if you were not satisfied that I make it with the sole view of promoting your honour and welfare. Believe me, &c.

TO LORD KINNAIRD.

'THE TEMPLE, 23^d Oct. 1806.

MY DEAR KINNAIRD—I accept of your generous offer with very great pleasure; you have done me a more valuable service than any other I can ever receive, for which I will not attempt to say how much I thank you, nor how sensible I am of the kindness you

express for me in your letter. A seat in the House of Commons was among the earliest objects of my ambition; and I set it down as a plan of life, from which I wish never to swerve. As I should unite an attention to public affairs with the pursuit of my profession, I was contented to look towards it as a distant prospect. Your friendship removes the obstacle by which I seemed to be separated from it; and you can assure me how delightful it must be to have a favourite passion in a manner so agreeable to my private feelings, and consistent with public opinions. I shall have the satisfaction of acting in concert with men of my own age, whom I have long known as the pillars upon all the great questions in our politics. Yours faithfully

LETTER TO MR MURRAY.

‘THE TEMPLE, 27th

I am going off this evening into Cornwall, to be re-joined by Ives—a terrible journey, but it is through Devonshire weather is fine for the season. William Adam goes with me as far as Launceston; he is to appear for Lord M. Camelford.

I am at present in too great a hurry to write to you upon some of the subjects which I have most upon my mind. For the last fortnight the dissolution, and a go-ahead business, have kept me in a great bustle. myself I am subsiding easily into a man of business, standing my irregular habits for some time past; but I boast too soon.

Brougham will receive orders for his return this evening. It is very much to be regretted that he was not at home at the time, for he left no instructions with any person about Parliament. The sum necessary is too great for any of us to have been answerable for it. Had he been here, he would have cleared himself, and his activity would have carried his object over all obstacles. It cannot be long, however, before a great opportunity will occur: he is too well known now for not to be suffered to lie unemployed; and that is the scene, where he may be employed to the best advantage.

You will be glad to hear there is a report that Cann &c. mean to back their parliamentary exertions with a newspaper of fun and wit; some of our friends will be no doubt, but the mischief will not be worse than that which shall have some merriment. The letter I received from you was satisfactory to me in the highest degree, and, I think, much honour.

LETTER TO HIS MOTHER.

‘ST IVES, 31st Oct. 1806.

Till this evening I had no news to tell you. I did not come here till this morning, and all day I have been occupied in canvassing the worthy and independent electors of this ancient and free borough. The election is not till Monday; and what I did not in the least expect, there is an opposition. My brother candidate is Squire Stephens, a man of good fortune, close by the town; and our antagonists are two Indian colonels, Symes the traveller to Ava, and Montgomery, whose history I find nobody here that can tell me; they are in what is called Lord Wellesley's party, both excellent men, I believe, if they did not oppose us. From all I can see and learn, we have no reason to fear the event, though they have certainly got a good many votes: the whole number is 250, and we reckon a majority in our favour of seventy clear double votes. I must reserve particular stories till I get home; all I can say is, that I have been a good deal entertained with the novelty of this sort of business to me, improved very much, no doubt, by our confidence of triumph. We go through the country part of the parish to-morrow, having canvassed the town to-day. I am glad enough none of you were here to quiz me as I went through my duty; entering every cellar in the place, and behaving as sweet as possible to every man, woman, and child. I never made so many vows, or shook so many by the hand, in the whole course of my life. There are near thirty fishermen of pilchards, every one of them styled captain, and all of them our fast friends. I met with few rebuffs; the people indeed receiving me with great cordiality and readiness, for which I am willing to forget my friend Sir Christopher,* and impute it all to my talents for popularity. Perhaps you will not give me so much credit. I did sometimes feel ashamed of myself, I own, and there were some hands that went against my stomach, if it had not been for the number of pretty women, three or four of them quite beautiful, whom I found in these hovels. I ought to ask your pardon for all this nonsense; but it is some relief to me at the end of such a day, the worst part of which has been the last—a dinner with two or three of my “friends,” who are very tiresome, and can endure port wine more patiently than I can. I ought not to forget, however, to make most honourable mention of a John Dory, the first I ever tasted, which was very good indeed, though, like some other famous things, not deserving, I think, the whole of its fame.

I expect to reach London again on Thursday or Friday at the farthest; which is a sad distance off, considering how much I have to do there.

* Sir Christopher Hawkins, the proprietor of the borough.—L. H.

EXTRACTS FROM LETTERS TO MR MURRAY.

‘TRURO, 4½ Nov. 1806.

I have had a sort of contest and canvass for my seat, as you would probably learn from Jeffrey, to whom I wrote from St Ives. The election was yesterday, and the numbers were—Stephens 135, Horner 128, Symes 93, Montgomery 86. We had several more double votes, but the gallant colonels left us the field before we brought down all our forces.

As I went my rounds among the fishermen and other independent electors of St Ives, I amused myself with the idea how much you would have been amused at my expense; and also with the conscious pride of being most admirably adapted for some situations where you are always pleased to say that I only expose my incapacity. I shook every individual voter by the hand, stinking with brine and pilchard juice, repeated the same smiles and cajoleries to every one of them, and kissed some women that were very pretty. I have laid such a foundation of popularity, and mean to raise so much upon it by my exertions against salt duties, and in favour of fish bounties, that I should not be surprised if I were to become the very Dagon of my constituents.

THE TEMPLE, 19th Nov.

There can be no objection to your saying that you have read Kinnaird's letter to me; for nobody will ever censure me for my habit of keeping nothing secret from you that concerns me. Certainly do not refuse to say to any one who asks the question, and is entitled to ask, that I am introduced into Parliament by the friendship of Kinnaird. It is not a fact that admits of concealment, if that were desirable; but I see no more reason that it should be made a mystery of, than that it should be proclaimed. I would not have accepted the obligation if I had not considered it as honourable to me, both in itself and by the person who bestowed it. I owed it to no solicitation, but to his own free, and to me quite unexpected, generosity; and I shall on all occasions be ready to acknowledge my gratitude to him for so important a service, which, on the part of a person who has no political situation that requires adherents, I must consider as an instance of most disinterested munificence.’

‘There is no circumstance in your life,’ says Mr Murray in reply, ‘my dear Horner, so enviable as the universal confidence which your conduct has produced among all descriptions of men. I do not speak of your friends, who have been close and near observers, but I have had some occasions of observing the impression which those who are distant spectators have had, and I

believe there are few instances of any person of your age possessing the same character for independence and integrity—qualities for which very little credit is given in general to young men.’

The new Parliament met on the 15th of December, and was very short-lived. A change of ministers took place on the 24th of March; Parliament was prorogued on the 27th of April, and was immediately afterwards dissolved.

Mr Horner took no part in any of the great questions that were debated; and is reported as having spoken twice only, and very shortly on both occasions. The first of these was on a motion of the lord advocate of Scotland (the Hon. Henry Erskine) for leave to bring in a bill to suspend, for a limited time, the powers of the Court of Session to grant augmentations of the stipends of the clergy. In making the motion, he stated that no less than a hundred and forty-nine suits for augmentation had commenced since July 1806. Mr Horner supported the motion, which, he said, was not brought forward in a spirit of hostility to the Court of Session, but rather as a relief to them. He at the same time spoke in terms of high commendation of the clergy of Scotland, as distinguished for their piety; and said that their emoluments were very inadequate to their station and the duties they had to perform.

On the 10th of February he was named as a member of a committee ‘to examine and consider what regulations and checks have been established, in order to control the several branches of the public expenditure;’ and on the 24th of March Mr Bankes, as chairman of the committee, having moved—‘That no office ought hereafter to be granted in reversion,’ Mr Horner spoke in favour of the motion, and stated that the subject had been the first to which the attention of the committee had been directed.*

At the general election he did not obtain a seat; but in July following, by the friendship of Lord Carrington, he was elected for the borough of Wendover. Lord Mahon, the son-in-law of Lord Carrington, had been chosen for Hull as well as for Wendover, and made his election for the former place.

The new Parliament met on the 22d of June, and was prorogued on the 14th of August. Mr Horner is not reported as having spoken on any occasion during the short period between his return and the prorogation.—[L. H.]

The correspondence recommences with a letter to Lord Webb Seymour of 29th December. After some references to the detail of passing parliamentary business, it thus proceeds to the exposition of opinions suggested by a wider view of the events of the time:—

'The sort of army, and the means of raising it, that I want, would only be a less evil than conquest by a vader; what I wish to see preserved from French is not the physical England alone, with its two-footants, but artificial England, the constitution, and that exception to all common experience—the freedom of I have a great confidence in the efficacy of this system the means of its own defence; and those persons who same sort of exertions and sacrifices necessary for us languid old monarchies of the continent, overlook, in me, both the advantages of insular situation, and the that grow out of the established habits and feelings liberty. The present ministers have difficulties will be the greatest of all glories to surmount: if they their course with a firm hand, between the selfish of the court against improvements that touch its own possession and abuses, and, on the other hand, the c the frightened public for innovations, disproportioned porary danger. To recur to first principles, is to a complex machine of immunities and privileges in simple elements of multitude and violence; and after ourselves with the vision of a splendid military should awake slaves in a camp. Depend upon it, it is not so short as you have put it.*

My anxieties are fixed upon quite another subject which occupies your letter—Ireland; where there is and surest opportunity of doing good, not only against danger, but through all the succeeding ages of this c where there are the materials of unceasing agitation of some fatal explosion, if that opportunity be neglected the present administration came into power, they have a new set of maxims for the government of that injured and have enforced them by including Catholics in the bution of patronage, as well as by repressing as much the hostile and malignant spirit of the Orangemen. Fox lived, whose power the Catholics regarded as a ; as much would be done for them as was practicable, the ance of this impartial and mild spirit of administration have anticipated the effects of more decisive measure some of these are absolutely necessary, in order to renew

* He says in a letter to Jeffrey of 5th June:—"You talk with great of our solicitude about elections, and our financial inquiries; and us think of nothing but Bonaparte. My system is quite the contrary dangers are always in this country sufficiently exaggerated; besides one is, I am persuaded, transitory; on the other hand, the decay of the homo goes on by imperceptible steps; requires a constant vigilance little successes that we gain by that vigilance are immediately others. I quite believe, however, in your prediction of a great victory Russians. You shall hear from me soon."

which they lost by his death. It is something, that ministers have been able to crush the late disturbances without stepping out of the forms of the law; and to my mind this is a contrast with the proceedings of former governments that would alone attach me to the present. But I am persuaded the time is now come when that which ought to have been bestowed long ago, as an act of justice to that country, must be conceded as a precaution for our own security. You know where the difficulty lies upon this subject: with our gracious sovereign again, and the bigots of the church establishment. Whether our ministers have determined anything upon the subject, I do not know; I speak only of my own wishes and fears. I shall regard it as a fatal oversight if another session of Parliament shall pass away without a most decisive measure being adopted with regard to the church revenues of Ireland, and the rights of Catholic subjects to rise in the army and state.

I have not said a word about myself, and must delay that subject to another time. I cannot, however, delay any longer my thanks to you for the true kindness and friendship of your last letter, which I have read over very often. My views and resolutions with respect to my scheme of life, and plans of conduct, remain unaltered; I am not insensible of the dangers that surround me, nor unconscious of my failures in acting up to the principles which I have laid down. Yet I am not without hopes of executing the original design in some manner, however imperfect; and though I shall not accomplish a hundredth part of what six years ago I considered easily practicable for me, I do not yet yield up my confidence that that hundredth part will be of the kind, and in the sort which, six years ago, and steadily ever since, has been the object of my ambition. I have been far less industrious than I determined to be; fortune and accident have run infinitely more in my favour than I ever dreamt of. But both my diligence and my successes have tended to advance me towards my original object: not that I have not often wavered, and for days been false to my purpose; but it has always rallied, and each time binds me faster to it.*

The following letter to his old preceptor Dr Adam,* shows

* Dr Adam died on the 18th December 1809, and the event is thus mentioned in a letter from Horner to Mr Murray of the 23d December:—

‘I heard of poor Dr Adam’s death yesterday, which gave me very great concern: no man ever led a more meritorious and serviceable life, and I have always felt a most agreeable debt of gratitude to him, for the love he gave me in early life for the pursuits which are still my best source of happiness, as well as for the most valuable impressions in all subjects of political opinion. I could not refrain from sending a little notice to the “Morning Chronicle,” expressive of the real sentiments I entertained for him. I wish it had been more worthy of him; but something of the sort seemed to be due.

I shall be very sorry if, by an improper appointment, so excellent an insti-

the readiness with which he was disposed, from the beginning to the end of his parliamentary career, to aid the projects of his friends when he deemed them just and sound :—

‘THE TEMPLE, 31st Jan. 1807.

MY DEAR SIR—I have had the pleasure this morning of receiving your letter, respecting a Bill for the Relief of the Widows and Children of the Schoolmasters of Scotland. I am much gratified at being thought of by you in such a business, and shall most assuredly pay every attention to it, both because it is your wish, and on account of the propriety of the measure. From what you say, I expect to receive the draught of the bill in the course of this day, and I shall wait on the lord advocate to-morrow, in order that it may be brought into the House without delay. At this moment I am not able to say whether we can contrive to have it received as a public bill; I rather fear not; but as soon as I have ascertained this point, I will let you know.

I cannot help thanking you for employing me a little on a subject of this nature. You are active as ever in the best interests of knowledge and humanity; and I am vain enough to believe you intended a compliment to one of your schoolboys, and supposed him worthy of seconding your endeavours. I often reflect with gratitude on the obligations I owe to you; and since I became a nearer spectator of affairs to which you always directed our curiosity, I feel the blessing of some early impressions, of which I was scarcely conscious at the time they were made.

I am ever, with much gratitude and respect, yours.’

EXTRACTS FROM LETTERS TO MR MURRAY.

‘LONDON, 20th Feb. 1807.

We have a very interesting week before us in the House: the investigation of this ugly charge against Sheridan; the new clauses in the Mutiny Bill; and, introductory to the violent debates we are likely to have on the proposed benefit to Catholics, Percival’s opposition to the annual grant of a small sum of money for the support of the Catholic college at Maynooth. These ministers have very nearly removed every doubt I ever suffered myself to entertain with respect to their determination to redeem all the pledges they formerly gave. I begin to exult a little over you about the Whigs, and shall be doubly armed for the argument in their defence when we meet. The Slave Trade, the Finance Committee, the Limited Service, and this commencement of wise and moderate justice to the Catholics, give me great confidence

tution as the High School should suffer any injury. Would it be possible to have Pillans made Rector? I conclude he would accept of it. He would be a most fit master, and his late discipline at Eton would prove of great benefit to the school. I will write to Pillans, and put it into his head.’

and great pleasure. We differ a little in our opinions of individuals connected with politics from the different accidents of our intimacies; but on questions so large and so lasting as these, it has been one of the great delights of my life to think alike with you.

I begin to be ashamed of not having attempted yet to speak; perhaps these Catholic discussions will lay hold of me; but I shrink from it when it comes to the moment. * * * From a part of Whitbread's speech on the poor-laws, you will perhaps have been led into an idea that I was consulted by him upon his plan; which was not in the least the case. I earned that unmerited panegyric by a short note, which I wrote for him one night after midnight, stating the present law of Scotland on the subject, about which he had asked me some questions.* I will send you his bill when I get it.

6th April.—It is a week since I heard the place of depute advocate was to be offered to you at the suggestion of Robert Dundas;† I had no doubt at all that, in the circumstances under which this administration has been formed, and the views and principles which they are likely to act upon, you would decline the proposal without hesitation. No other course would have been consistent with that line of conduct which you so steadily pursue, and which is, and has always been, the object of my most delighted observation.

I hope your idea of coming up now is not a substitute for the plan, with which I have been indulging myself most agreeably, of your meeting me on the western circuit; if it were, I would not give my consent to the change but with great reluctance. Hear me. William Adam‡ and I have taken each other, for better for worse, to journey the circuits together; we are to have a carriage for ourselves two, with a dickey for the joint clerk: the bodkin's seat is to be maintained unviolated, unless a person of the most choice conversation, not a lawyer, going that circuit, should upon any occasion present himself. In other words, there is to be a spare seat kept for you. Can you refuse after this? We shall be at Winchester on the 5th of July, and so travel on for about five weeks through Cornwall round to Bristol. You might run to the south as soon as your session business was over, and join us soon enough to see the practice of the western circuit at two or three of the assize towns. I feel already a satisfactory repose from the

* In Mr Whitbread's speech on the poor-laws, on the 19th of February, he said: 'Most of the information I have obtained on the subject of the Scottish law relating to the poor I owe to an honourable member of this House (Mr Horner), who has been well known in the republic of letters, and at the bar of Scotland; and who is sure to become an ornament of this assembly.'—*Hansard's Debates*, vol. viii. p. 880.—L. H.

† Afterwards Viscount Melville, then president of the Board of Control for the affairs of India. A change of ministers had taken place on the 24th of March.

‡ Some years afterwards Accountant-General of the Court of Chancery.

my opinion of his book on French judicature; which, like all his other treatises, contains many important observations, which may be taken in the very state in which he has left them, but is still more valuable for its irresistible effect in setting the mind of the reader to work by the boldness and restlessness of the writer's speculations. It is the most effectual exercise in the art of legislative reasonings.

8th April—The Whig Club* is of very little use; but it is of a little: it serves to keep together a number of very respectable Whigs, of the middle station of life, who reside in the counties near London; those from Kent are particularly respectable: it will serve also to give the memory and the name of Fox still an influence over the opinions and conduct of many persons of that description. You will think this very sad party-work; I confess it looks like it: it is not so much in reality with me as it seems: you shall be my judge.

I expect to have Bentham's tract for you in a day or two. Romilly has read it; and says there are a great many acute remarks in it, and a great many bad jokes.

To-morrow I hope to send you a "Short Account of a Late Short Administration," which I have printed in a threepenny pamphlet. Harry Bennet had done it first on the model of Burke's little account of the first Rockingham administration; he gave it me to alter; and I have, bit by bit, altered it nearly all. I wish I had written it originally in my own way; it would have been more uniform, the only merit such a thing can have.

But I must return back to my sessions law.'

CHAPTER VIII.

AGE, 29-32.—1807-1809.

Called to the Bar—Social Notices of Malthus—Opinions on Henry Grattan—Account of a Tour in Wales with Mr Murray—Views on the Seizure of the Danish Fleet—Opinions on Jury Trial—Unanimity of the Jury—Illustrations—Jeffrey and the Edinburgh Review—Newspapers in Scotland—State of Spain—Scenery of Glastonbury—Resigns his Seat at the Carnatic Board—Views on Politics—His Professional Position and Prospects.

An event of great importance in Horner's personal history which occurred at this period, is not mentioned in his correspondence. He was called to the bar by the society of Lincoln's Inn on the 12th of June 1807. His next letter after this event is the following to Lord Webb Seymour, dated 6th July:—

* Mr Horner had just been elected a member of this club.

"I had the pleasure of receiving your kind letter from Durham, in which you acknowledge so feelingly that the idleness of London was real enjoyment. I have protracted it for myself beyond your departure, though not in such excess as when I had your midnight or morning company to the Strand. I have been talking a great deal about you with Mrs Spencer, and with Miss Crewe too; and though at the risk of indulging your vanity, I must tell you that the latter amiable and excellent person spoke of that famous night conversation after Vauxhall, amidst all the festivities of Wimbledon on Saturday; if you had known what that scene was to be, you would have stopped in London a week for it *as a study*, where all the beauties in living and still nature were united with all the refinements of polished society, in one immense luxury. I shall tell you no more particulars of it than this, that in one of the most wooded and extensive points of view in the park, there was a small tent pitched, away from all the rest, and out of hearing of the Pandæans, in which dined the two ladies I have already named, Windham, Ward, Sharp, and myself: I think you would have been of this party.

I was provoked at not seeing you once more before you left town; I had left some things I wished to say to the last. The drawing is placed at length upon my wall,* and gives me a shadow of company at breakfast, by recalling many of the most valuable hours of my life, and bringing upon me, by its associations, that temper of mind in which I am both calmer and more aspiring than at any other moment. I have likewise to thank you for the book you left for me; Jacob Vanderlint's name was your attraction of course.

You have not yet given me the note of Alison's little scheme of Friendly Societies, which you said you would write down. Give me the outline first, before you find him at leisure to fill it up. These discussions will be revived immediately by Whitbread, probably without leading to any result this session; but the attention of the public must be kept up, and I have no doubt we shall see some good done, if the king's conscience and Bonaparte do not settle the whole matter.

Though the official details are not yet arrived of the last affair in Poland, no reasonable person seems to entertain any hope of its being short of decisive. What course will the conqueror take next? To the south-east of Europe, or to Ireland? At all events, he will probably give advantageous terms to the northern powers whom he has subdued, and will march back an army to Boulogne. We shall have the autumnal alarm of invasion, with more of likelihood and a nearer approach to reality than we have yet known it.

* A portrait of Lord Webb Seymour, by Henning, now in my possession.—
L. H.

Since you left us, Malthus* has been a day or two in town; and gave me a little of his society, enough to enable me to judge of him; and I am happy to say, that a more philosophic candour, calm love of truth, and ingenious turn for speculation in his important branch, I have seldom met with. It is quite delightful to find how closely he has taught himself to examine the circumstances of the lower classes of society, and what a scientific turn he gives the subject. There is a new speculation of his about the importance of the people being fed dear, which I wish you were here to discuss; it has the look of a paradox, and like most of his views, is revolting to the common belief; but I have not yet detected the fallacy, if there is one.'

LETTER TO JOHN ALLEN.

'RAGLAND, 19th August 1807.

DEAR ALLEN—I received the letter you were so good as to write to me when I was in Cornwall; our circuit was not concluded till the day before yesterday, and I am come into this fine part of the country with Murray for a few days. You will think us, though idle enough, not ill employed, when I tell you that yesterday morning I visited, with becoming veneration, the prison of the regicide Harry Martin, and that I am just returned from a survey of the castle of the Marquis of Worcester, which was demolished by the army of the Parliament. There is a field about a mile off, which is called the *Leaguer*, and must from that name have been Fairfax's encampment; though the people can give no reason for the name, and, like the common people everywhere in England that I have seen, have not the least curiosity or tradition about the history of their country. It is not so with the descendants of the Covenanters.

I am very much satisfied in every respect with the circuit, and have found it a pleasant sort of party, though I should have

* In a letter to Mr Murray of 27th October 1808, he says:—'I do not know that you have ever seen Malthus; remember, next time you come to England, that I make you acquainted with him: Whishaw, who has known him long very intimately, says he is one of the very best of men; and that you know is the judgment of Rhadamanthus; and there is no man with whom I like better to converse upon controverted subjects; not that he is remarkably original in such extempore exercises, or even satisfactory always in his manner of communicating his views, but then he has the mere love of truth, for which I would willingly exchange, when you come to serious matters, all the versatility, dexterity, and eloquence that can be displayed in the famous sport, which is so much practised at our learned university. I know this looks like a decision in favour of dullness; and so the ingenious gentleman would think it. You have seen in Malthus's review of Newenham's Population of Ireland, some statement of those views of his with regard to the cheapness of the food of the common people, which we discussed together two years ago, and particularly, if I remember right, going from Ragland to Abergavenny. I think in this review you find the defect to which I have already alluded, and which affects all Malthus's writings—a want of precision in the statement of his principles, and distinct perspicuity in upholding the consequences which he traces from them.'

gained more instruction from it if I had set out with a larger stock of legal knowledge, particularly in pleading. I never had seen so much of trials by jury before; and all I have now seen increases very much my admiration of the precision, sureness, and despatch of that mode of trial. It is evident, however, that the establishment is too narrow for the business of the country. At Exeter, for instance, several causes were left which the judge could not overtake; important causes of real property, and which must remain till the judges come round again. This is evidently a grievous defect in the system.

I have heard but little of the news lately, and very imperfectly; being reduced to the "Morning Chronicle," and not receiving that very regularly. There have been some speeches in the House which I should like to have heard, and indeed some divisions at which I wish I had been present. Not even Grattan's authority, or that of the late administration, would have prevailed upon me to vote for that insurrection bill, with the clauses it contains, which seem worthy of Charles II.'s Scotch Parliament. Can you explain to me Grattan's conduct, which appears so repugnant to the system of all his former principles? It is idle to talk of a necessity now, as different from what was urged formerly, and seemed then no justification of tyranny, or to talk of any necessity as justifying measures of that sort, which must perpetuate all the evils of discontent, if they do not bring them indeed to a crisis. Grattan's former conduct appears so uniformly excellent, and his view of the late bill so inconsistent, that I am very anxious to understand his conduct.'

Afraid that Allen had misunderstood the tenor of these remarks on Grattan, he took occasion to say a few days afterwards in explanation—

'I am very anxious to remove immediately all thoughts from your mind that I entertain, or ever for a moment entertained, any suspicions of Grattan's *integrity*. On the contrary, all I have observed either of his public conduct or character since he came into England, has strengthened into most complete conviction an opinion I had formed of him from his transactions in Ireland, as one of the few men of great talent in our day that have proved perfectly honest and pure in politics. I certainly regret very much and condemn the language he held, and the votes he gave upon the late insurrection bill; and nothing that I can imagine seems to me a sufficient explanation of such an inconsistency with the whole tenor of his former conduct.'

A letter to his sister, Miss Horner,* gives a pleasing account

* Afterwards Mrs Byrne: she married, after her brother's death, Miles Byrne, lieutenant-col. commandant of the 56th regiment of French infantry, and officer of the Legion of Honour.—L. H.

of his excursion in Wales, where, in conformity with the arrangement we have found him endeavouring to make, he was joined by his friend Mr Murray :—

‘CRICKHOWEL, 21st August 1807.

MY DEAR FANNY—The last account I gave of myself was from Clifton; since that, Murray and I have come by way of Chepstow and Abergavenny to this pretty village of Crickhowel, which is just within Wales, upon the borders of Brecknockshire. We do not mean to go any farther, but have taken lodgings for four or five days, till we turn eastward again to London.

The situation of this village is at the head of a pass leading from Abergavenny into the mountainous country, and five or six beautiful valleys, stretching into that country in various directions, end and meet here. They are more green than anything that is to be seen to the east of Somersetshire; and the uplands are enclosed and cultivated almost to the top of the hills. The sides are covered with little farm-houses and their orchards, and very small patches of wheat; and every field almost has a footpath. I am very apt to think the last beautiful country I have seen the most beautiful I ever saw; so that you cannot rely very much upon my choice; that, however, is my present way of thinking. We wanted a place to be quiet for a short time, and we seem to have pitched upon this one fortunately. Our plan is this: we go out to walk about one o'clock in the day, spending a long morning (for we get up rather early) in a long breakfast, and getting through some business about the plans for reforming the Court of Session; we return to dinner before it becomes dark, usually about an hour and a-half after the time we ordered, lest we should acquire any rural habits of punctuality; and, after dining as well as we can in all respects, contrive to get another walk before going to bed. We dine at a little inn, where there is a ball-room, however, as there is everywhere in this part of the world; our lodgings are with an old dapper gentleman, the tax-gatherer, I believe, quite a character, addicted from his youth upwards to angling and music.

From Chepstow we took a walk up to Tintern Abbey, and back by the other side of the river. It is described in so many books that I will say nothing about it, except that it deserves all its fame. Ragland Castle, between Chepstow and Abergavenny, is the finest ruin of a dwelling-house I have ever seen; being comparatively modern, built about the time of Henry VII., I believe. It was demolished in the civil wars; and I fancy you will find a good deal about it in Clarendon, which you are still reading I suppose. At Abergavenny I sent for a harper, who played very well; but he had quite as many of Gow's reels as Welsh tunes, and did not seem to know the one very well from

the other. I asked him for "Sir W. Wynne's March," but he did not please me half so much as you do. At Abergavenny there is a very curious old church, full of monuments; it is as old as the time of King Stephen. We shall go to Monmouth on Tuesday evening, where I shall find many letters I hope. The following day we shall spend upon the Wye, and after seeing Berkeley Castle, propose to sleep at Chippenham or Malmesbury on Thursday. We have offered to dine with Sydney Smith on Friday, so that on Sunday or Monday at farthest I shall make my appearance.—Yours affectionately.

LETTERS TO MR MURRAY.

‘RUSSELL SQUARE, 29th Sept. 1807.

I have made up my mind upon this Copenhagen business; you will think it strange perhaps that I had it to make up. But I expressly put myself into doubts upon the subject, and endeavoured for a while to view it as one of the extreme cases of that necessity which has no law. I am returned from every deviation that I attempted into the intricacies of state expediency to the daylight of common justice and old rules. It was an unwise measure even for the purposes of the actual war; with any prospect of future character, or of future wars by sea, this impolicy becomes still more apparent; and then it is, beyond even all the proceedings of the Convention, or the Directory, or Bonaparte, against neutral nations, a violation of the laws by which the society of the human race is preserved. Sir William Scott, however, told Sydney Smith that no *principle* is more *plainly* laid down than our right to take the navy of the Danes; and so he has been ready to say, and would be still ready, for any outrage or breach of the law of nations that the government of this country has dared or is meditating to commit. What say your philosophers at Edinburgh upon this occasion? I do not mean your political sceptics, who can take the theme on either side, and look upon these miseries and deeds of violence as so much sport upon a large scale for their reasoning appetite, and as so many favourable instances for their theory of indifference; but your graver and more terrestrial spirits, who consider that it is practicable to make the world a little more habitable, by taking some pains about it, and that it is their duty, even for the sake of rendering it a very little more secure and agreeable, to contrive useful rules, and exert their talents in persuading the multitude to observe them. I have here broken off to an old grievance; it is not unnatural, when one sees how fast the barriers and bulwarks raised by

* See the letter from Sydney Smith at the conclusion.

former wisdom are sinking, to regret that the genius given to the world is not diligently employed to uphold them.

Write to me often, my dear Murray; one has no pleasure in dwelling upon any public subjects while the liberties and wealth of England are mouldering away, and the institutions of Europe stiffening into barbarism; but the gratifications of private affection are untouched by these revolutions, and though they give a sadder cast to one's conversation, they cannot impair our confidence and freedom. Direct my letters always to the Temple; and be sure I never enjoy a letter more than when I am out of London. I go down to Bradley* on Thursday, and from that to the sessions at Taunton; I have promised Petty, who was in town yesterday, to go back to Bradley for a day or two with him; and then a visit of a week at Woolbeding† will close my wanderings for this summer.—Ever truly yours.

18th Nov.—I am quite ashamed of my long silence; and the more so because I have much to tell you of in various ways. Yet it must not be to-day; for I am staying at home from Westminster Hall, where I ought to be, in order to draw up a memoir, in a case of military inquiry, with respect to the conduct of a general officer. I shall only tell you for the present that I have prescribed to myself a regular forensic life, and find myself conforming to it with passable cheerfulness and assiduity. Till the meeting of Parliament I shall make Russell Square‡ my bed and board; but I come to chambers regularly in the evening; and having made a rule to dine out only on tailors' holidays, I have already brought myself to that pitch of self-denial as to refuse other invitations in the proportion of two out of three.

4th Dec.—Indeed, my dear Murray, if it were only for the sake of the argument, you shall not inveigle me to say that trial by jury is either the *most* perfect, or *a* perfect, institution. If you caught me in such expressions in any of those morose fits of dogmatism which occasionally come upon me, when I have not activity to grapple with my companions' mortifying ingenuity, I now must humbly beg leave to recall them. I am not only, however, still of the same opinion as to the *comparative* excellence of that machine for doing the business of the law, but am growing daily to rate its superiority still higher than I did before. I have always owned to you that I find myself at a loss in explaining the reasons of this excellence, and that I am not satisfied that I could make out a strict deduction from principle upon the subject: although the importance of effecting a separation, wherever it is practicable, betwixt the facts that are proved in a cause and the rule of justice that is to be applied to them, would be the first step of my theory, if I had time to give it form. I should then

* The Duke of Somerset's. † Lord Robert Spencer's. ‡ His father's house.

proceed to proofs from experience of the failure of all other attempts that have been made, in England or elsewhere, to effect and secure this separation, except by the clumsy, apparently inartificial, and rude contrivance of a jury. Whether the purpose might not be better answered by a permanent sort of jury, composed of persons systematically educated to the art of trying facts, and rendered skilful in evidence by accurate study of the rules, and by constant practice; or, upon a different supposition, by such a structure of the record in a cause as would force the court to arrive at its decree by two distinct steps of judgment, one upon the facts, and another upon the law: this is an inquiry which it would be extremely valuable to prosecute, and I wish some country, that can afford to try experiments, would make this one. I have said that my opinion upon juries is becoming still more fixed; and I mean since we parted. You will call it my prejudice.

The management of a question upon the poor's-rate acts, by his majesty's justices of the peace at their Quarter Sessions, gives one what Lord Bacon and Lord Webb would call an instance of the extreme case against the judicial composition of law and fact. The nicest and most evanescent questions of law are apt to be started upon the construction of those statutes, and frequently the point must be taken upon a mass of intricate evidence; and you do not require to have it described what the worthy gentlemen of the quorum do with such difficulties. I will grant you a large allowance of natural hereditary dulness, and of habits that do not much sharpen the wit, but you cannot get rid of my instance entirely by that explanation. In the trial of indictments by the sessions, a jury is interposed; and the chairman seemed to me to acquit himself much better with that assistance. But I do not mean to rest upon that. From the Quarter Sessions I come up to the Court of Chancery, where we have a judge long practised in all the varieties of legal procedure. We have lately had some very elaborate judgments delivered by Lord Eldon upon suits which called for the interposition of the peculiar rules and maxims of the court upon circumstantial proof of fraud and undue influence; and in listening to them I learned nothing very clear and distinct, but the importance of giving separate judgments upon the facts and the rule, and the necessity of resorting to contrivances of form and system, in order to insure that separation. I look upon the Court of Chancery and the Quarter Sessions as affording in this view counterpart instances, each of which fortifies the conclusion I would draw from the other.

The proceedings of election committees of the House of Commons, and those of the House of Lords, when it sits not as a court of error, but judging, either originally or by appeal, of the fact as well as law, would supply me with confirmations of the

same argument, which I push no farther, however, than this, that it is the result of the experience of England upon the subject; not very enlightened at any time, I own, not managed with any view to a decision of the question now between us, and suggesting nothing like a reason against trying other modes of attaining the same object; but proving, I think, that the administration of law is not likely to be conducted upon a system of certain and clear rules, except where the separation of law and fact is by some means or other secured.

There is among the state trials that of Lord Mohun for the murder of Mountford,* quite a dramatic example of the confusion which may overcome the most exalted heads when they are called upon to take, what I remember hearing Lord Meadowbank† upon the bench say he always liked to take, a complex view of the case. You will not find it difficult, it seems to me, to guess what Lord Holt and Somers would have said upon our subject if we had caught them on their way from the court of the Lord High Steward.

Parliament met on the 21st of January, and the session continued to the 4th of July. Although Mr Horner did not take a prominent part in any of the greater subjects which came under discussion, he took a more active share in the public business than he had done in the preceding session, and spoke upon several minor questions.

On the 25th of January, Mr Bankes, as chairman of a committee that had been appointed to inquire into the subject of offices in reversion, moved for leave to bring in a bill to prevent the granting of offices in reversion;‡ and Mr William Dundas having on that occasion stated that 'when the abolition of offices, and the limitation of the prerogative of the crown with respect to them, were talked of, he could not help recollecting the instance of a distinguished character in that House, he meant the late Mr Burke, who had been most active in the early part of his political career in reforming and abolishing offices, and in limiting the prerogative of the crown, and who lived to lament and condemn all those reforms, abolitions, and limitations,' Mr Horner defended the memory of Mr Burke. 'He rose,' he said, 'for the purpose of repelling the aspersions which had been thrown upon the memory of one of the proudest ornaments of this or any other country, by the inconsiderate observations of the right honourable gentleman.' He denied that the latter part of Mr Burke's life went in anyway to invalidate or contradict the sincerity of

* Before the House of Lords, January 31, 1692: Howell's State Trials, vol. xli. p. 949.

† Lord Meadowbank, senior, one of the judges of the Court of Session. He died in 1816.

‡ See the proceedings on the same subject on the 24th March 1807, p. 385.

his earlier efforts. Those who were honoured with that great man's friendship, or those who were acquainted with his very last work, knew that he took honour and credit to himself for having pursued such measures as tended to every species of economical reform; they knew that to the latest hour of his splendid career he was as zealous and as sincere an enemy to rapine and public malversation, as he was in the most vigorous period of his memorable life. He thought this measure the more valuable, not because it bore upon the prerogative of the crown, but because it was a measure of reform; and that perhaps was the very reason of the right honourable gentleman's opposition to it.*

In the following letter to Jeffrey of 17th February, we find him recalled from politics and law reform to the prospects of the *Edinburgh Review* and the literature of the day:—

‘THE TEMPLE, 17th February 1808.

MY DEAR JEFFREY—There is no chance, I fear, of my being able to write anything for you next time, because the whole month of March I shall be riding the circuit, and till I set out, I have my hands full. If I can meet with any person whom I can induce to assist you, and who is worthy of being admitted by you as an auxiliary, I will not forget your necessities. Since Malthus has begun to contribute, I hope it will not be for want of solicitation on your part if he does not continue to supply you with articles. Of all subjects, political economy is at present the most productive of useful publications; and though his general views are sometimes imperfect, he is always candid, and an advocate for what he believes to be most liberal and generous. You are good enough to ask me to recommend some subjects to you; I have long been a truant from literature, and find very little leisure to read anything but black-letter and parliamentary accounts. But I will try to recollect some of your omissions, which ought to be supplied.

There is Horne Tooke's work on language, of which we talked long ago; a very fit subject for yourself, not because you have the learning that some would think indispensable, but because what is in truth required for improving that speculation is a more enlarged knowledge of metaphysics, and of the relations of the different sciences, than the acute inventor is himself possessed of. Dr Jamieson's new work on etymology would give occasion for quite a different sort of dissertation; not on the philosophy of grammar, but on the actual history of the languages of Europe, with many

* Mr Horner never published any of his speeches in Parliament, and, except on two occasions that will be noticed in the sequel, he does not appear to have corrected the report of any one. Those which are referred to in the present work are to be found in Hansard's Debates; in most instances these reports are very brief, and convey little more than the general scope and line of argument of the speech.
—L. H.

curious illustrations of the philosophical history of manners and customs among the common people. The traditional preservation of so many Catholic, and even the most ancient pagan, rites of superstition among the children and old women of your Presbyterian country is very whimsical, and must be very mortifying to the serious and feeble.

The mention of the Presbyterians puts me in mind of a book which I read last summer, and which has not been reviewed yet—the “Memoirs of Colonel Hutchinson,” one of Charles I.’s judges, by his widow. It is a composition of much merit in various respects, and would give you an excellent opportunity for that characteristic criticism which you ought to be very vain of: the personages who play what they thought a most important part in that day are brought forward with strong effect; and the fanaticism of the times exhibited so far in a new light, that you see it in alliance with elegance of manners and accomplishments, mitigated by them, and corrupting them. If you could review Mrs Hutchinson without quizzing her, which I rather doubt, you might give a very gratifying and useful impression of the practicability of accommodating even to the sternest times of civil war the same domestic virtues, and the same love of letters and the arts, which thrive best no doubt in tranquillity. I do not mean that those times are coming to us; we shall live on in the tranquillity of a vulgar servitude and degeneracy. In the spring you will have many fine subjects: Campbell, I am told by his friends Richardson and Charles Bell, has written a charming poem of narrative and description; and Scott, of course, will be very vehement with irregular success. I hope you will review them with your own hand; nobody else has written a sentence of literature in the *Edinburgh Review* that can be endured.

I shall mention Buchanan’s* project to Mr Windham, who inquired of me the other day if I knew anything about him. Encourage him by all means to try the experiment, at least, of a newspaper in Scotland; though I doubt very much whether your advice of mere impartiality will help him to a better sale than his own propensities of Whiggism. The latter has but a poor chance in Scotland, and the former none anywhere. The man had better be left to his own opinions and inclinations, for he will give them more warmth and force than if he writes impartially upon system: a heavy monotonous fairness is the last thing that people will read in their newspaper. People read it to get their daily opinions and impressions; it is now a necessary of life, especially in the country towns; and a man feels himself as awkward if he walks out without his political creed for the day,

* William Buchanan, author of ‘Taxation and Commercial Policy of Great Britain,’ and editor of the ‘*Edinburgh Evening Courant*.’ He died on 14th August 1848.

as if he wanted his breakfast. Newspapers are a new means of influence to government in England; and no set of ministers ever understood this more practically than the present: their indefatigable, systematic attention to the daily press is quite admirable; and the persevering activity with which the most palpable lies, the most atrocious calumnies and misrepresentations are circulated and repeated after every refutation, is irresistible. Nothing ever equalled them but the *littérateurs* of the French Revolution. It sometimes strikes me as quite ludicrous to see the scrupulous indolent leaders of our half-combined party make a few feeble efforts to oppose this torrent by good writing and virtuous indignation.

I had some thoughts of saying something about politics before I ended this letter; but I have no time, and in truth little inclination. It is a subject in which all the interest I now feel partakes of dejection and disgust. I have no fears, like you, about conquest; but I see the progress of a base servitude so rapid, and the degeneracy of the laws and constitution is now so sensible, that I despair of any good being done by any exertion.'

LETTER TO MR LOCH.

'THE TEMPLE, 13th June 1808.

In consequence of my being in the country, and my letters following me there and back again, I did not receive those you have written to me lately in their proper order. Two of them I have only now received, and the other yesterday. I was down in Buckinghamshire with Abercromby at Lord Carrington's, and for four blessed days we were as idle in the open air as it was possible for two men to be.'

I wish you would let me know *to whom* the king made that notable remark about Mr Fox's slovenliness in writing notes. Your conviction that this was said in order to give a tone to the court about the book,* is a pleasant instance of the refinement you philosophers are fond of, in imputing profound motives to the most insignificant actions of great people. And yet you may be right. I rather think that the tone of the courtiers is that of contempt for so flimsy and slovenly a performance; and in the present circumstances, I am neither surprised nor sorry that they have taken this turn. The attachment to principles and examples of public liberty is so dead in this country, and even the recollection of the old sentiments and sounds of the English language in that cause is so slight, that it is very natural for better people than the courtiers to regard a piece which breathes the very ardour of youth about freedom and justice

* Mr Fox's History of the Early Part of the Reign of James II., published this year.

'The news from Spain for the last fortnight has been admirable indeed; much beyond my expectations, both in respect of the success itself, and of the prudence by which it has been secured. But it makes one quite nervous to reflect how much more prudence will for a long course of time be required; how much wisdom, too, both military and civil; and, what is the most fearful condition of all, how great a stock of genuine active patriotism, in order to accomplish entirely, and permanently secure, the vast scheme which the Spaniards have before them.

Like you, I have been reading a little in the language of the country which we have been all thinking of so much; but the summer circuit does not, without more self-denial than I have, allow much time for any regular study. I brought with me that memoir of Jovellanos which, you may remember, was praised in one of Allen's articles in the Edinburgh Review as worthy of Turgot's pen. It contains many valuable details of the agricultural economy of Spain, and is perfectly of the liberal and enlightened school, in all general doctrines, with the exception of one grand error upon the corn trade, for he is elaborately against exportation being permitted. The language is very perspicuous, and sometimes elegant, formed upon the model of what the French used to call their academic style. I have read so little Spanish before this, as hardly to be ready to say whether I agree with you or not in condemning even the little time that it requires to learn it as wasted. I remember being very much struck with the spirit and magnificence of some ancient ballads, which Lord Holland showed me in a collection called "Romancero;" and the little I read once of Zurita, the historian of Arragon, gave me a desire to have leisure to read him all through; indeed I believe there are other pieces of history, written while Spain had constitutions in actual operation, that would be well worth studying for the sentiments with which they are composed, as well as for the information to be collected respecting the history of popular and representative government in modern Europe. I should expect also to find the original narratives of the discoverers and conquerors of the new world extremely worth perusing in their own language. The extracts which Robertson gives from the letters of Cortes are excellent; and even in the translation, the story of Bernal Diaz has a very original and characteristic cast.'

Some allusions have already been made to the posthumous fragment of History by Fox. The following letters—the first to Mr Jeffrey, the second to Mr Murray—give us the literary history of the criticism on that work in the Edinburgh Review:—

'THE TEMPLE, 15th June 1808.

MY DEAR JEFFREY—The long interruption of our correspon-

dance on my side did not proceed from the motive which you have assigned to it, and was not in any degree designed; but was the consequence of the little leisure which is left me, and the difficulty I find in sitting down to write, except upon the spur of a letter just received. This proceeds much more from my bad economy of time, than from anything exclusive in my other occupations.

I will not accept your flattering and tempting offer to review Mr Fox's book. It must be done with more *habileté* than I have, and with greater impartiality, too, than I should be able to observe. Will you let me ask it, as a favour to me, that you will do it yourself with some pains, and more than usual care? It is rather important for the Review that this should be a distinguished article; and it is more important, for all good interests in England, that that work should be received with a proper impression. I have been collecting some observations and criticisms, which I will write out and send to you, as materials *pour servir*, if you will make use of them. It is not all mere admiration. I am going to read the book once more, and will send you my remarks in a few days.

THE TEMPLE, 16th September 1806.

MY DEAR MURRAY—I am afraid you have set me down as a very unkind one for my long silence. I do not know how it has happened, except that I have been meditating several long letters on several different topics, and that in the course of the circuit I never found an interval of quietness sufficiently to myself for that purpose.

While I was at Exeter, I received from you the sheets of Jeffrey's review of Mr Fox's History; and before I had done with my travels, I wrote to him some remarks which had occurred to me. Since I came to London, I find that the faults found with that article are chiefly on account of some inconsistencies; which are very intelligible to any one who knows in what manner Jeffrey writes his reviews, and with what carelessness in general he sets himself to do what all the world fancy he undertakes with an overwhelming sense of its importance.

Though some of the strictures which I have heard upon the criticism of Mr Fox's History are, I think, well-founded, the article pleased me very much, and still pleases me in its principal parts. I do not know, however, that it has occurred to you, but it has struck me of late, and strongly upon reading that piece, that though Jeffrey's powers of observation are strengthened, and his delineation of sentiments still more discriminating and refined than when he first began these publications, his style of writing has suffered materially from the hurry in which he is usually left to compose. Some of his best-thought passages about Mr Fox are composed with a clumsiness that surprised me.'

A brief letter to Jeffrey of 8th October is dated from Glastonbury, where Horner speaks with enthusiasm of the natural and architectural scenery:—

‘I came here in the mail from London before dinner, and have been enjoying a quiet evening in a scene perfectly rural and equally singular and beautiful. The verdure of Somerset is now in all its brilliancy; and if I had had you an hour ago with me, looking at the red sunset upon the hills of Glamorganshire, with a storm collecting upon Mendip, while immediately below us were the orchards, and neat cottages, and abbey ruins of this curious town, I think you might have been caught in a momentary admiration even of *English* landscape.

Will you adopt the suggestion I made yesterday, of an article in some early number of the Review upon the probable fate of the principles of liberty and good government upon the continent? In our remoter views of the future, I fancy you and I come nearer to a coincidence than the terms in which we might compare our opinions would seem to show; while you, with a just caution, and some mixture of despondency, suggest ultimate objects as what ought to be aimed at; and I, with more of sanguine credulity, and more too of indolence, would describe them as events which are steadily accomplishing themselves, and which will be realised as the result of a course which has never been suspended, but of which it is in truth the acceleration that has occasioned all this alarming violence—

“Kind nature the embryo blossoms will save.”

All this, in my romancing, is equally probable, at a greater or less distance of time, whatever turn the immediate posture of affairs upon the continent may assume. I do not allow myself to be very sanguine about that, for I find the best judges of such matters do not hope. Everything, it is now manifest, depends upon the great operation upon the Danube; and the issue of that will either spread one conflagration over Europe, or plunge it once more, and until another crisis of similar uncertainty, in sullen submission.’

EXTRACTS FROM A LETTER TO MR MURRAY.

‘27th October 1808.—I do not know why Mr Fox has not taken any notice of the charge against Algernon Sydney, of receiving money from the French court. For though the details of that part of Charles II.’s reign do not enter into the plan of his preliminary sketch, yet he has dwelt so much upon Sydney’s character, that it would have been natural, and perhaps was necessary, to advert to this very serious accusation. You will think me very Whiggish for saying I do not believe it. Algernon

Sydney is not quite a *hero* with me; he wanted many of the graces, and even virtues, that are necessary for the full perfection of that character. But he is a *martyr*, and you know my superstition; indeed it is not a long while since I went to his shrine at Penshurst, and looked upon his image with all the raptures of a pilgrim. So that you perceive I am in a very unfit state of mind to receive your allusion to that calumnious story. Do you believe it to be true?

I have been more Whiggish than ever all this summer, for I have been full of sanguine expectations, and, as far as I know myself, that is the state of mind in which I am most liable to think of politics. Some of my most confidential Whigs have treated me all along as too sanguine and somewhat Quixotic; and, to be sure, my castles were in Spain. Even still, my views of what the result is probably to be are more confident than what I can find people ready to approve of. Spain seems to me now to be quite secure from ultimate subjugation by France, even if large French armies should once more penetrate the country and gain general battles; and indeed, from all I can observe of Bonaparte's conduct with respect to that country, or guess from comparing it with other measures of his policy, I am much inclined to believe that he has for the present relinquished the project. What a triumph for the principles of liberty is this revolution in Spain, and its extensive influence upon the present and future fortunes of the world! It may even make those principles be felt and regarded by men of property and education in this country, and deliver them from the suspicion and derision to which they are at present exposed.

I passed a few days lately with Petty, in the beautiful country where he has taken an old house in the midst of old trees; and I cannot tell you how much I am pleased with Lady Louisa. I believe you saw her, so I need say nothing of her beauty. The gentleness of her manner has a degree of shyness joined with it, but not the least reserve; so that you soon discover her good and well-informed understanding. She takes as much interest in his particular objects and pursuits as is natural and proper. I could not fancy a wife better suited to him. They made no stranger of me, and allowed me to see how they lived daily: he went on, for instance, with the book which he was then reading through of an evening to her. Their scheme seemed to me very rational and tranquil, and likely, as far as depend upon themselves, to insure them a uniform happiness; I am only apprehensive of her health, which seems to require much attention. * * *

I am going to dine with Jeremy Bentham and Colonel Burr,* and am very curious to see what sort of mixture will result from putting together pure philosophy and Yankee treason.

* Aaron Burr, the celebrated American political intriguer.

When you write to me, pray let me hear of George Stewart,* and whether he is thought likely to live. My heart bleeds for Stewart. I am going to remove forthwith from Garden Court to Lincoln's Inn.[†]

A letter from Jeffrey gives a lively account of the critical position of the *Edinburgh Review*, and contains a renewal of his appeals for assistance from Horner:—

‘EDINBURGH, 6th December 1809.

MY DEAR HORNER—I see by the “*Courier*” that the combustion which the review of Cevallos† has excited here has spread in some degree to London. I am convinced, too, that it has damaged us a little; and am so much persuaded that it is necessary for us to make more than an ordinary exertion at this crisis, that I take courage to do that which is now very painful to me—to solicit your aid in my day of need. The Tories having got a handle, are running us down with all their might; and the ghosts of all the miseries we have slain are rising to join the vengeance. Walter Scott, and William Erskine, and about twenty-five persons of consideration, have forbidden the *Review* to enter their doors. The Earl of Buchan, I am informed, opened his street door, and actually *kicked* it out! Then Cumberland is going to start an anonymous rival; and what is worse, I have reason to believe that Scott, Ellis, Frere, Southey, and some others, are plotting another. You must see, therefore, that it is really necessary for us now to put on a manful countenance, and to call even the *emeriti* to our assistance. I intreat you to do an article for me during the holidays. We shall scarcely be out before the end of January, and I might even give you the whole of that month, if you need it. Now I do think that you would give me £100 if I was in great need of it; and this will cost you less work than you could do for £50 for any knave of a solicitor: and it is of infinitely more consequence and gratification to me than any £100 could be. Persuade yourself for once, then, my dear Horner, that this is not a solicitation of custom, but that I make it with as much real anxiety and earnestness, and as much dread of a refusal, as if I were asking a pecuniary boon. You shall have your choice, of course, of a subject; but I wish you would put your notes and notions of Malthus together at last. It is a fine subject, and you are in a manner pledged to it. But if you can think of anything more popular and striking, take it—only no party politics, and nothing but exemplary moderation and impartiality on all politics. I have

* Son of Mr Dugald Stewart, then dangerously ill.

† The article here alluded to was generally understood to have been written by Mr Brougham, and is headed ‘Don Pedro Cevallos on the French Usurpation in Spain.’—Vol. xiii. p. 215.—L. H.

allowed too much mischief to be done from my mere indifference and love of sport; but it would be inexcusable to spoil the powerful instrument we have got hold of, for the sake of teasing and playing tricks. Tell me, too, what you think I should do myself. I grow stupid from day to day, but I will cheerfully dedicate the holidays to this service, if you would condescend to guide me.

I would gladly write you something more amusing, but I am over head and ears in session papers, and am dying of sleep. Murray tells me that you have still hopes of Spain. I have despaired utterly from the beginning; and do not expect that we are ever to see 10,000 of our men back again—probably not 5000. The prospect is monstrous, and startles even my public apathy; but it is well to know what it is really. Murray will have told you all about our two courts, and the state of matters here. The club is cordial and vigorous, and the faithful steadfast as becomes them. Do send me a line of comfort, and believe me in infinite haste and stupidity. Most truly yours.

LETTER TO MR MURRAY.

‘LINCOLN’S INN, 26th January 1809.

MY DEAR MURRAY—I cannot let another day end without thanking you for your letter of last Sunday. It gives me the most gratifying proof of that personal kindness, which is one of my chief comforts and pleasures in life. Fame, even reputation, are things too big for me; but the possession of them would not fill me with so much satisfaction as does your solicitude about them for me. Your indulgence, I well know, has no mixture of intended flattery; perhaps it will spoil me as much as if it were. But be its effects what they may in blinding your judgment or mine, I delight to enjoy your partiality as such, and have more gladness of heart from it, than if I were to earn the successes that you would have me believe are not out of my reach.

Besides yourself, I can perceive that the more partial of my friends think me wrong in not making an attempt to speak in the House of Commons, while the rest have given me up as incapable. Sometimes I have been for a moment upon the point of agreeing with the latter in their opinion upon the subject, for every one has his moments of honesty and self-confession. But, upon the whole, I am willing to believe that I might have done better, and that I have reason to reproach myself with a want of proper exertion. I have better resolutions for the present session, of which we shall see what may come. It would be an idle history of indolence, fastidiousness, dread of failure, &c. were I to give you my apologies for not making the trial on several occasions. There have been some discouragements of a different nature: the petty war of political personalities is exceedingly irksome to me;

it disgusts, rather than irritates me (being personally not implicated), and I have witnessed but little else since I sat in the House. I suspect, too, that I have not nerves for a hopeless unavailing struggle, where I have a contempt for my antagonists, and more than suspect the unfairness of their fighting. Then I have a great dislike for the audience in that place in their present temper of stupid illiberality. I am made, or educated, for the sunshine of an improving community, and have not yet acquired the habits and resolutions that are more suitable to the present state of this country. I am learning them a little; and there is not one motive I have assigned for my silence in Parliament, that does not, I own, admit of a complete answer. I have one still to assign, which probably has but too just a foundation: my dread of finding it an effort above me to discuss a large subject in public after many speakers, and with numerous details and arguments to manage. I have never made the experiment, and perhaps I should sink in the first attempt, though I am perfectly convinced that the power is to be acquired by practice, since men of very humble talents have acquired it. This, I take it, is the real cause, though confirmed and coloured by the others I have mentioned. Of course you would not put me upon making a set speech, though fame for a day is to be had in that way; and rather than give such an express demonstration of my incapacity for business, I would sit contentedly under the doubts which my friends might continue to entertain of me.*

God bless you, my dear Murray, and believe me ever affectionately yours.'

The session of Parliament had commenced on the 19th of January, and it was prorogued on the 21st of June. Notwithstanding his 'better resolutions,' he still held back from taking any prominent part in the debates; for, except on one occasion,

* A few months afterwards, on the 2d of April 1809, he received the following animated reproaches from Jeffrey, which seem to embody the feelings of his old friends on his parliamentary quiescence:—

'Why do you not make speeches, if you will not write reviews? I shall be very sorry to see you set down decidedly among the country gentlemen, at least till you have a *rus* of your own to console you; but I must tell you that your friends wonder at you, and that our enemies are impertinent at your silence. Do, my dear Horner, assume a more manly pride, and trample this fastidiousness under your feet; make yourself known for what you are, and at 81, and in the crisis of Europe, do not still think of training yourself for futurity.

You will answer me perhaps, I hope you will, that you are busy with your profession; but this is not a sufficient answer for such a man, and at such a time. You are in Parliament, and you are known to be in Parliament; nobody knows anything about your doings in Westminster Hall, and your not doing elsewhere is noted and lamented. You owe it to your fame, and I think to your country, to make some effort; and even if you really think that could be the consequence, to expose yourself in some degree in that duty. I am inspired, I believe, to tell you all this; so I hope you will receive it with proper reverence, for I cannot tell what has led me to it.'

his speeches this session occupy a very limited space in the columns of Hansard. On the 13th of June, the Scotch Judicature Bill was under consideration, and Mr Horner is reported as having spoken 'at considerable length' upon a great and oppressive defect existing in the mode of proceeding in the Court of Session, for which the bill then before the House afforded no remedy—namely, the necessity under which suitors were placed, when answering the allegations of their opponents, of first taking out copies of all the elaborate pleadings required to be entered by the other side. These pleadings, he said, in some instances that came within his knowledge, amounted to a volume of 1500 pages; and he had known instances where, though the sum in litigation did not exceed £200 or £300, the fees of court alone amounted to from £500 to £700.

In the midst of his professional and senatorial labours, we find him in a letter to Lord Webb Seymour of 27th January 1809 thus recurring to their old objects of study:—

'I hear faint and distant rumours of immense discoveries in chemistry, which I eagerly wish I had the means of knowing and following; but it has pleased the gods to dispose of me otherwise, for no good to others, and for less enjoyment to myself. I hear, however, of Davy, Berzelius, and others, from Tennant occasionally; and their late successes appear truly wonderful, and immensely important. How happens it that Edinburgh contributes nothing to these discoveries, with all the study and zeal that prevail there for this science?

Will you listen for a moment to a difficulty which I wish to have solved, in a very large speculation, but one with which you must be very conversant! Since the modern astronomers completed the Newtonian system of the universe, and ascertained all the apparent irregularities to be periodical and constant, we have been led to the proposition, that all the revolutions of the system are uniform, and repeated in a certain order. The views of geology which have been opened by the Huttonian manner of treating that science, point to the same conclusion with regard to the changes that happen to the surface of this planet; which would appear to be repeated in a certain uniform succession, and are not progressive either from an ascertained origin or towards a probable end. But is there not one difficulty in the way of this general conclusion, on account of the chemical composition of the substances of which the surface of the earth consists? If every earth is an oxyde, the oxydation has been progressive; and going back through the whole succession of compositions that have been effected, one would be led up (within the limits of definite duration) to the first instance in this series, to the first union of oxygen with the first metal that was oxydated. I have no doubt that the principle of periodic revolution will

be found to prevail throughout nature; but I cannot state to myself in what manner this apparent exception is to be reduced under it. Probably I am talking nonsense all this while; if there appears to you to be any reason in the speculation, but that I have not sufficiently explained myself, I will try again. It is rash in me now-a-days to "tempt with wandering feet the dark unbottomed infinite abyss;" but in making an escape from the subjects to which I ought to confine myself, and trying an excursion once more "through the palpable obscure," I feel the gladness and vanity of an old man who tries to repeat the scenes of his young days.—I am, &c.*

He received a letter, dated 8th February, from his old tutor Mr Hewlett, then busy with his commented and illustrated edition of the Bible, saying:—

'I enclose you the Remarks on the subject of Hebrew Numerals, &c.;* and you know how much I value your sentiments on anything connected with literature and science. I dare not trespass too much on your time, which is extremely valuable; but you will oblige me by devoting half an hour to the subject, and giving me your candid opinion. Tell me if you think anything is deficient, redundant, irrelevant, or inconclusive; and particularly, tell me if you think there is anything in the paper that can possibly offend the rational friends of the church, as well as Christianity.'

To this application he made answer on the 9th:—

'I cannot conceive there should be the least chance of your giving offence to the rational friends of the church by this valuable and curious dissertation. If it be liable to objection, that must be in common with every attempt that can be made to settle, or correct, or elucidate the text of the Scriptures. In the present times, so peculiarly unfavourable to all kinds of free inquiry, persons may be found no doubt who would dread, even if it were now to be done for the first time, that there should be any use of reason upon such subjects; they are persons who would have been hostile to the Protestant reformation itself. No good would ever be accomplished if the influence, and even the malignity, of such persons were not wholly disregarded by those who love truth, and employ their labours in the discovery and cultivation of it.

This subject of the Numerals (and that which introduces it), the population of Israel, seem both involved in very great difficulties, which probably admit of no better solution than by ap-

* 'Hewlett's Bible,' Numbers, chapter I., note to verse 46—'Even all they that were numbered were six hundred thousand and three thousand and five hundred and fifty.'—L. H.

proximations more or less ingenious. Is not the number 16,539, to which, upon one supposition, the number of the eleven tribes would be reduced, smaller than is likely to have been the fact, and inconsistent with what is said throughout Joshua with regard to the 40,000 men who were brought into the field? And is it not against this hypothesis that the total sum in this passage not only agrees with the particular items recited, but with the total given in other passages, not only that which you quote, but also in Exodus, xii. 37, and likewise with particulars mentioned in such passages as 2 Chronicles, xiii. 3; xiv. 8; xvii. from 12 to the end; xxv. 5; and xxvi. 12 and 13. All these passages are so consistent, that perhaps one mode of conjectural emendation would apply equally to them all, and still preserve their consistency; but if it fails to do so, is there not an argument from that against there being an error in the text merely? After all, is it to be wondered at if the historians of Palestine manifest the same disposition to exaggerate the numbers of their nation and of their mighty men of valour which is evinced by the historians of all countries, especially in early times, and by none more than by the learned of the Egyptians, among whom Moses had studied? It would no doubt be a remarkable and rare instance of 'historical fidelity, if the numbers were really consistent with probability; and your endeavour to remove the apparent exaggeration is in this respect calculated, instead of offending the rational friends of Christianity, to remove one of the popular but slightest grounds of objection to the inspiration of the whole text of the Pentateuch. I cannot suggest that there is any deficiency in your statement, nor does any part of it appear to me either redundant or in the least degree irrelevant. With respect to its being conclusive, I have already ventured to point out what would make it more strongly so to my mind, owning, at the same time, that I think it most likely the original author did greatly exaggerate. Believe me ever yours most faithfully.'

EXTRACTS FROM LETTERS TO MR MURRAY.

'11th February.—I shall consider the impeachment of the Duke of York by the House of Commons as the death-knell of the constitution. It will keep the whole country in a ferment for months; the House of Lords will acquit; both Houses will be looked upon by the public as having concerted this acquittal: and then you have the alternative to expect of an entire prostration of all public opinion and popular efforts before the crown, or a democratical anarchy of which no man can see the end. I think these are distinct public grounds upon which the House of Commons should refuse to impeach the duke, because the present case is one, not for punishment, but for future distrust and immediate

removal, both from the nature of the evidence, and still more from the rank of the person. I do think that the ministers who advise an impeachment as the means of ultimately screening the duke from the consequences of his conduct, will more criminally betray the public interests to serve an individual, than by any other act of which, in the present day, a minister can be guilty. The course for the House of Commons seems to me to be clear—to address, in the mildest and most general terms, conveying their wish to the king that he would remove the commander-in-chief. I should like best to have it done by an address of the Commons, because even the formality and record of such a victory increase its value, by attaching it to the merits of the constitutional assembly; but even this advantage I would consent to relinquish, provided the substantial triumph of public opinion is secured by the voluntary resignation of the duke; so much do I dread the consequences of a struggle between the crown and the people.

Tell me what you think of these views, which I set down very hastily, having only a few minutes to write to you. I am very anxious to know if the light in which I see the subject appears to you to be just. Believe me ever affectionately yours.

25th March.—I am not surprised at the desponding tone in which you express yourself respecting the conduct of the majority of the House of Commons in the Duke of York's question. At the same time I do not feel the same degree of despondency, because the conduct of the House in general has been much more patriotic, and the vote of the minority has been much more effective, than I expected at the outset of this important inquiry that either would be found to be. The practical measure has been obtained; and it can neither be denied, nor fail to be attended with a beneficial impression among all intelligent men, that this practical result has been accomplished by the united force of public opinion and of the respectable minority in the House. Had that minority been less, the duke would not have resigned. That there should have been such a majority upon such a question, and in such a state of the public mind, is a disgrace to the constitution, and strengthens all former conclusions for diminishing the influence of the crown, as well as the arguments in favour of a place bill. But the successful issue of the contest is a satisfactory demonstration of the vigour and virtue that still remain in the constitution, infirm as it is.

29th April.—I am very glad that Jeffrey thinks so favourably of Campbell's new poem, for *his* good opinion is very essential to the poet's prosperity.* Nobody will deny that it abounds in touches of a true genius; but the obscurity and embarrassment in the narrative, and the many *bouts-rimés* which we may charge

* Gertrude of Wyoming.

upon the impatience of his subscribers, prevent me from reading the work yet with that uninterrupted pleasure which poetry ~~must~~ give, or it fails. My enjoyment in that sort of reading depends, perhaps too much for a just taste, upon the beauty of all the details in point of execution; and the stanza which Campbell has chosen for this poem perhaps imposed upon the author a more indispensable necessity of finishing to a faultless perfection, because it gives the reader so many rests in his attention. The breaking of the subject by pauses at equal intervals imposed another necessity—that of filling up the parts of the subject, in themselves unequal, by circumstances not only selected with judgment, but “pencilled over with all the curious touches of art.” I cannot so well explain what I would have had Campbell’s work to have been, as by sending you to read the serious and tender parts of the first canto of the “Castle of Indolence.”

9th May.—I gave notice in the House last night of a resolution which I mean to propose, in the committee of the whole House upon the third report of the Finance Committee, for the purpose of grounding upon that resolution, if acceded to, a bill to render illegal the sale of all judicial offices by persons having the power of appointing to them.

The grounds upon which I proceed, as far as England is concerned, are to be found stated and sanctioned by the greatest authorities, both in the state and the law, from Sir Matthew Hale downwards. You will find his opinion in his tract upon the amendment of the laws. And the same sentiments are expressed in one of the reports made by the royal commissioners, and presented to both Houses of Parliament in 1740. They are cited, with full concurrence, by the Finance Committee of 1797, in their Twenty-Seventh Report. I am desirous, of course, to make this a general law, equally applied to the three kingdoms. With regard to Scotland, it will be necessary for me to be put in possession of more detailed information than I can obtain here, or without your assistance, as to the number and description of offices of a judicial nature which are in fact disposed of by the patrons, and as to the view in which such sales are regarded by the law of Scotland.

On the 18th May, Horner resigned his seat at the Board of the Carnatic Commission. In his letter of resignation, in which he stated that, to obviate inconvenience, he would continue to act till the end of June, he gave these reasons for the step he had taken:—

‘Though, for a considerable time past, I have found the attendance at the board inconvenient to me, and incompatible with the pursuit of my profession, I was desirous, if it were possible, to see the investigations in which I have been engaged brought to a close. But the information which has just been

received from the commissioners at Fort St George, with respect to the multitude and vast amount of the claims which have been made before them, removes to so great a distance the prospect of terminating these inquiries, that I feel myself under the necessity of declining to act longer in the commission.'

LETTER TO THE HON. JOHN W. WARD.

'24th May 1809.

MY DEAR WARD—I am out of patience with the patriots, as they call themselves, and with the Opposition too; some reforms are become absolutely necessary, both with regard to expenditure, and in the representation of the Commons: but the patriots delude the people about the extent and nature of the evil that calls for remedy, and likewise as to the efficacy of the remedies which they propose; and the Opposition, by a timid, wavering, and ambiguous line of conduct, are losing all command of the popular party, both in the House of Commons and in the country. This has been a new sort of session in the House of Commons; the next, it is probable, will be still more remarkable, particularly if the Opposition leaders come to it, as they probably will, with the same want of explicit and determined opinions under which they labour at present. There is no evading any longer those discussions about sinecure places and the reform of Parliament; the questions must be met directly, and some considerable concessions must be made to the popular sentiments.

Windham is the only man who speaks out; with that contempt of popularity of which the courage is quite admirable, but with that systematic repugnance to every proposition that savours of reformation which turns all his wisdom into foolishness; and if it should guide the councils of government, will speedily deprive us of the constitution, the living principle of which has always consisted in prudent and timely reforms. It is very irksome to me to have a middle sort of course to steer for myself; it feels so like trimming, and it is so completely ineffectual: but what else can I do, when I cannot find men and measures together? I like most of the *parliamentary* measures of the patriots, for I would make some exceptions; but the men I never can have any reliance upon; not so much that I suspect any of them, or rather I should say many of them, to entertain unconstitutional designs, but because they seem to me, one and all, wholly devoid of political ability. I like the men of the late cabinet and old Opposition, but their proceedings in this session, their backwardness upon some questions, and their indistinctness about certain subjects that are fundamental, and what is more, will press upon every public man immediately for a declared opinion or conduct, have shaken my confidence, not in their views and intentions, but

in their judgment and firmness. All this, however, interests you, I fear, very little.* Faithfully yours.'

The following, addressed to Jeffrey on the 12th of June, may be considered as a continuation of this train of reflections:—

'I hope you will not commit yourself upon the subject of parliamentary reform before you have fully made up your mind, after a careful view of the question. It is very fit that you should give your opinion upon it at large before the next meeting of Parliament, but I should grieve very much if you were to take up in sport any side of the debate that first strikes you. I am a good deal of a reformer, and am prepared to go a considerable length; the question as to Scotland admits of no hesitation, and in England I would give members to some important classes of the population who can scarcely be said to be represented. It is at the same time a perilous thing either to change the qualification, or to take away franchises, or, by compensations, to recognise such a principle as the acquisition of that kind of property. I see a great deal of practical benefit result, even to the interests of liberty and popular rights, from the most rotten parts of the constituent body; and while I am satisfied that we should, upon the whole, be a more virtuous and patriotic House of Commons if the deputies were more dependant upon the people, there are many occasions on which the clamorous and inconstant voice of the public would dictate a wrong course of conduct, and I cannot say, upon a retrospect of parliamentary history, even in the worst periods, that the House of Commons has ever for a great length of time, or upon a system of measures, been at variance with the sentiments of the people. The close of the American war is the strongest case of that nature; and it was then, accordingly, that the remedy of a reform in the representation was most thought of. It is very fit to be considered also, whether, at any former period of our history, the formation of the House approached nearer than it does at present to the theory of our constitution, as drawn by general writers. With all this, I have a strong bias in favour of the proposition for rendering the representation more adequate and agreeable to that theory; and I only throw out these topics of doubt, that I may have the benefit of your mature consideration of them. It is a momentous question in its consequences, as likely to affect the permanent vigour of the constitution. It is no less so on

* In a letter to Allen of 30th September, he says, in allusion to the state of public feeling and the prospect of a coalition—'Among the dissenters, reformers, Jacobins, philosophers (for some of all of these I have seen in this part of the world), there prevails a uniform apathy and indifference about party, and distrust of men. For God's sake let us have no more coalitions; and then, either victory upon the Catholic question, or a resolute prosecution of it, may help us again up hill.'

account of the circumstances of the time in which we may be forced to discuss it; not the most favourable, certainly, for any measure of internal change. And I cannot therefore express to you how anxious I am that you should take the utmost pains with the article you mean to write upon it; you ought to consider what it is to send out eleven thousand prints of your doctrine on that subject, whatever that doctrine may be, with all the weight of your authority, and in the midst of such an agitation of the popular mind; and indeed the question has been recently connected so much with the irritating topics of the day, that you should not appear to enter into it, but with more remote views, and upon the largest contemplation of all parts of the discussion, and of all the effects of the proposed measure.

P. S.—I hope no notice of the "Quarterly" will ever be suffered to appear in the "Edinburgh." You must be above controversy, however provoked. You must be delighted with the accounts which have appeared lately in the newspapers relating to the state of opinions in Germany; they are quite your politics and mine; and they will ultimately restore the civilisation and independence of Europe.'

In a letter to his father of 20th August, he takes the following moderate and sedate view of his professional prospects:—

'You will, of course, be desirous to know whether I have had anything to do; and though I would rather say nothing about it until I have good news to tell, yet if I did not own that I have had no briefs this time, you might for a moment perhaps suppose me to be indifferent about the anxiety which you have for my success. For myself, I do not consider this as a disappointment, or as otherwise than it must be, and ought to be; for the business upon the circuit is at present in the hands of those who are best entitled to confidence, and between them and me there are several who have never had so much encouragement as even the little I have already received, and who have a just right to succeed before me, both because they have waited longer, and because their qualifications are better. The little I have had formerly was, in truth, out of my turn; and I see no reason to relinquish an expectation I once expressed to you before, that possibly some accidental advantages, which make me more known, may advance me into business with rather less delay than is the common, and necessarily the common, lot of the profession. I have said so much on account of the solicitude which you feel upon this subject; I have never myself been sanguine, either in the hope of early or great business, but a moderate share, enough for independence, I reckon myself ultimately sure of; as much as one can be of anything which, though subject to the ordinary accidents, may be aimed at steadily.'

To keep his scanty notices on the subject of his professional progress together, it may not be out of place to insert here a passage from a letter to his father of 10th June 1814, where he says:—

‘I have been doing more business this spring than ever before; chiefly in the House of Lords upon Scotch appeals, though I have had a few glimpses of business opening to me in other channels. The circuit, which I must mainly look to, stands just as it has done for a year or two; when any material amendment takes place, I shall be sure to let you know. In the meantime, you will be glad to be assured that my business, such as it is at present altogether, makes me quite independent; and that I have no fear of its falling short of that.’

On the 3d of March in the ensuing year we find him saying in reference to the same subject:—

‘I have had no time for writing lately, for we have had constant sittings in the House, and the chancellor has been driving through his paper at a hard rate. I am engaged in so many of the causes that stand for hearing till the holidays, that I have given up thoughts of going the first part of the circuit, and shall probably not join it till the end of Passion Week, in Cornwall. They have lately taken me into some Irish chancery appeals.’

CHAPTER IX.

AGE 32-33.—1809-1811.

Increased Interest in Politics—Jury Trial—Case of Colonel Wardle and Mrs Clarke—Town and Country Life—Catholic Emancipation—The Edinburgh High School and Scottish Politics—The Nomination of the Bullion Committee—Correspondence with Lord Grenville—The Vote on the Walcheren Expedition—Sir Francis Burdett and the House of Commons—Considerations on the Privileges of Parliament—The Edinburgh Review—Tour in Ireland—Dublin—Killarney—The King’s Illness—The Regency Question—William Cobbett—Reporting Speeches—The State of Spain—Conferences on the Formation of a Whig Ministry.

We are now introduced to a period of Horner’s life when his interest in practical politics seems to have become deeper and steadier, and when he appears, in his release from duties of a routine character, to have hailed the opportunities presented to him of mixing in a wider sphere of action. His views are fully explained in the following selections from his correspondence:—

EXTRACTS FROM LETTERS TO MR MURRAY.

'11th November 1809.—As I am now freed from the attendance at the Carnatic Office, which engrossed so much of my time, I am able to give pretty constant attention to what is going on in the Court of Chancery. The truth is, I am but as it were beginning that business; for in consequence of the irreparable error I committed in taking that office, I have thrown myself quite behind.

I have very little expectation that the unsettled state of the government will end in a Whig administration; and, upon the whole, I rather think that another attempt of that nature in the present reign is not much to be desired. In the precarious, unsure footing upon which they would have to act, with the court hostile and deceiving them, and on the other side an ill-disposed public, incapable of seeing their merit and public virtues, they could prosecute no systematic measures for the public good. They could not be efficient ministers, possessing neither the royal favour nor public confidence: and until they shall have secured one or the other, it is better, both for themselves and for the country, that they should not attempt the administration of its affairs. Another experiment with this king, unless they are supported by the people, would speedily end as the last did, and with a further loss of character; for their former experience in the closet ought to convince them that honourable men cannot, with impunity, connect themselves, in public more than in private affairs, with a double-dealer; and in the present temper of the public mind, it would not be enough to govern better than others have done, nor would it be forgiven them if they only did as much good as they might find practicable. My own opinion is, therefore, that they ought not to accept office, except in the alternative of either forcing the king's consent to the Catholic question, or of being loudly and distinctly called upon by the public to waive that question for the present, in order to avert immediate danger.

It is not very probable, under any circumstances, according to my view of these matters, that these men can retain for a length of time the favour of any king they are likely to serve. In a certain event I expect that they will hold him just long enough to carry through one or two large measures, such as the Catholic emancipation, and an arrangement with regard to the Irish tithes, which, like the abolition of the slave trade, and the limitation of military service, will mark them out hereafter to those who will appreciate their conduct more truly than their contemporaries in general are capable of doing. Not that I have not some faint hopes, in which you will probably think me both sanguine and partial, that a time may come in which they will acquire the confidence of the better part of the public—that is, a time when a

taste and fashion may be revived in this country for the qualities and principles which entitle them to that confidence. My hopes of that sort are, however, but faint. The current of events which has wrought such a change in the moral sentiments of Englishmen upon public affairs and characters, sets still in the same direction with unabated force. The old standards of public merit are broken, as the old feelings of constitutional control and order, as well as of national justice, are nearly extinguished.

15th December.—I have just heard of Lord Grenville's victory at Oxford, which I cannot but consider as a very important event in a public view; it is, in truth, a victory both over the court and over the worst prejudices of the church. The High Church is pulled down from its most ancient and formerly impregnable height: taken by storm in its strongest hold. The cry of no Popery is throttled. It will be found, I have little doubt, that it is the younger members of convocation, and those of the country together, who have defeated the resident monks of the university. And there is no prognostic so favourable and so sure for the success of any improvement, whether in science or in opinion, as the distinct separation of the young ones in favour of the improvement from the inveterate maintainers of the prejudice. What Black so liberally owned to Lavoisier, is no less true in the history of political opinions among the people ever since the press acquired its present power over those opinions; in our own times we have seen instances, as in the case of the slave trade, and in some of the doctrines of political economy: the Catholic question has taken the same course, first among the members of Parliament, and now throughout the people. The generation of those who are still sincerely afraid of the Pope will quickly pass away; though it is by no means improbable that the king and his *protectors*, as Perceval describes himself, will make one more desperate and convulsive struggle. * * *

The more I see of English law, and the practice of its various courts, and the longer I study the operations of politics, particularly as affected by the administration of justice, I gain new impressions in favour of trial by jury, of which I should find myself at a loss to say whether the institution does most good by preserving the poise of the constitution, or by accelerating the despatch of private litigation, and by fixing the doctrines of law. The events of the last ten days in Westminster Hall are no inadequate example of the first effect; when we see one jury resist a prerogative judge who strained the law, and attempted to force them,* and another jury decide in a popular cause against the

* This was a trial, on the 5th of December, before Sir James Mansfield, chief justice of the Common Pleas, and a special jury, in which Henry Clifford, Esq. barrister, brought an action for assault and false imprisonment against James Brandon, a servant of the managers of Covent Garden theatre; an occurrence

idol of the mob.* Of the other effects, I could give you many living proofs by contrast every time I pass from the Court of Chancery to the circuit, or from the circuit to the Court of Chancery. Nothing can be so idle or ignorant as to talk of introducing English juries into Scotland; you must make the whole thing for yourselves, and you cannot make it but by degrees, groping out your way as you go. You may easily make it as good as ours, or better, in the detail and machinery; it is by taking the principle alone, and the spirit of the institution, that you may profit by the experience of England.'

EXTRACTS FROM LETTERS TO MR ALLEN.

'28th December 1809.—I liked Lord Holland's speech very much, as given in the "Morning Chronicle," except that part of it about the *panacea*: no friend of parliamentary reform ever spoke of it as such; that exaggeration is only imputed to them by the other side; it is not necessary to disclaim it for the sake of the people, who are apt to misinterpret such guards and qualifications as a proof of our being lukewarm. No political measure, and especially no legislative one, ever could with truth be proposed as an immediate cure for many evils in the state; but perhaps none has ever been carried against prejudices that was not prosecuted with as much ardour as if it were expected to prove a very *panacea*. The more I think about parliamentary reform, I am the more satisfied that good would result from making the representation more popular than it is: and if it is not done legitimately, the people of this country will one day have a fight for it.

BRADLEY, 6th January 1810.

DEAR ALLEN—I rejoice exceedingly at the news you give me of Brougham's coming into Parliament; and I am particularly glad that Lord Holland has had so great a share in effecting it. Brougham never could have found a more fortunate moment for setting out upon his career; which, though it may appear less brilliant at first, on account of the expectations which are formed

that arose out of the riotous proceedings of persons in the theatre resisting an increase in the prices of admission. The jury found for the plaintiff, in opposition to the charge of the chief justice, who expressed much regret at the verdict, from which, he said, he feared very ill consequences were likely to result.

* This was a trial, on the 11th of December, before Lord Ellenborough, chief justice, and a special jury, in which Colonel Wardle (who had brought forward in the House of Commons charges of corruption against his Royal Highness the Duke of York) prosecuted Mrs Mary Anne Clarke (the duke's mistress), and two tradesmen of the name of Wright, for a conspiracy to defraud him. Westminster Hall was filled with a mob, whose shouts in favour of Colonel Wardle interrupted the proceedings of the court. The jury returned a verdict of not guilty.

For reports of these trials, see the 'Times' newspapers of the 6th and 12th of December.—L. H.

of him, will be very speedily distinguished; and, upon the whole, I would predict that, though he may very often cause irritation and uncertainty about him to be felt by those with whom he is politically connected, his course will prove, in the main, serviceable to the true faith of liberty and liberal principles. For him, personally, it will be very fortunate if he has some probationary years to pass on the Opposition side of the House.

I am anxious to know what Grey and Grenville feel about the Catholic question, considered with reference to any overture that may be made to them. They ought to be prepared for such an event; and I most fervently hope that they will not only not flinch, but that they will not accept of office without a distinct explanation that the thing must be done immediately. I know this amounts very nearly to a negative upon their undertaking the administration; but after every view I can take of the subject, I come always to the conclusion, that they will do more good to the country by conducting opposition upon that distinct principle, than by surrendering it for office.

LETTER TO LORD WEBB SEYMOUR.

‘WOOLBEDING, 3d January 1810.

MY DEAR SEYMOUR—Before I received your last letter, I had been already encouraged by Murray’s report of your health to dismiss for the present all my anxiety. I trust you will persevere in that course of idleness which has proved so beneficial to you, until you are again as stout as I once remember you; and, what I am persuaded is not of less importance, I hope you have ascertained what mode of exercise it is, whether on horseback or afoot, that does you most service. One thing I am very sure of, that you ought not to reside much in Edinburgh, or in any town, but in the purest of air.

I have been spending a few most agreeable days here. The weather has been like the settled mildness of October, just what makes it most enjoyable to saunter till sunset, and for half an hour more, in such a broken country; where every turn gives a new aspect, and yet the variety is so kept in character, that in the midst of roughness and waste, the eye passes to small landscapes of perfect smoothness without being startled, and without once disturbing that thoughtful indolence which the walk and the scenery inspire. This is the solitude I can command here: the company has been choice too, though they are all gone now but Mrs Spencer, who is worth them all. Surely the stir and smoke of a town life, so far from deadening our sensibility to country beauties, render our pleasure in them of a still higher relish; at least I assure myself it is so with me; and I am no less certain that frequent retreat into the country is necessary for keeping

one's mind in tone for the proper pursuits of an active life, and for refreshing, in our imagination, those larger and distant views which render such occupations most useful, and which alone make them safe. I am going from hence into Somersetshire, and in my way I am to pass two days at Bradley; the duke writes me word that he thinks he has completed one of his schemes in language, and promises to explain his contrivance to me.

The circumstances of the Oxford election, and the line which Cobbett has recently adopted upon the question of Catholic emancipation, concur in proving that the public of all classes, even as low as the multitude, have been most rapidly enlightened on that subject. There is not, in my recollection, a more remarkable instance of the beneficial power of the press; and I cannot conceive what greater encouragement we could have to indulge hopes of the future prospects of England, than in so unequivocal a proof of the easy diffusion and reception of just opinions, when they are fully explained and perseveringly and temperately urged. I consider it as utterly impracticable at present for the court to raise a cry about popery, though it is but so short a while since that wicked expedient met with the most complete success, and had nearly delivered up the Catholic inhabitants of England and their property to assassination and flames. The cry next attempted will be for pity to the king, and indulgence to his conscience, in his old age—a topic which is not calculated now to have popular currency, as appeared upon the occasion of the Jubilee, and which at anyrate surrenders the subject of argument, by asking for time and mercy. Before a great many more years are gone, we shall have the government of Ireland established upon just and generous principles, and that will give us a strength to defy the world, and an unlimited range for the development of all our internal resources. It is by a very perverse coincidence in point of time, that the greatest peril we have ever been exposed to from foreign hostility has fallen just in one of those periods which are incident to our constitution by its nature, when the evils of the monarchical part prevail over its advantages; but if we overlive this crisis, there are numerous symptoms which begin to manifest themselves in each of the three kingdoms, but especially in England, of a tendency to start forward, which cannot be repressed much longer; but upon the next change of the individual whose character most affects the condition of the country, will enforce maxims of administration more adequate to the necessities of the time, and more corresponding to the sentiments of the educated part of the people. The immense influence of the press in making one democracy, as it were, of the whole population, has been gained but within these few years; and possesses in itself a living principle of increase, the operation of which is farther accelerated by the pro-

gress of national instruction in England, which Joseph Lancaster's perseverance seems to have pushed now beyond all risk of being stopped: nor is it unpleasing to observe how surely and how unconsciously the aid which the king has given to Joseph in his plans, and the diligence of the Methodists in spreading their absurd fanaticism, co-operate to the same end. Let me hear where you are to be, and believe me, my dear Seymour, affectionately yours.'

In the beginning of the year 1810, Mr Pillans was a candidate for the office of rector of the High School of Edinburgh, vacant by the death of Dr Adam. Horner took a deep interest in his success; and the following letter explains some features of the affair which brought it personally home to himself, in a manner calculated unpleasantly to excite his sensibility:—

'LINCOLN'S INN, 19th January 1810.

MY DEAR PILLANS—I am become very anxious about you, and impatient to have the thing over. The pleasure I should otherwise have received from your expression of "very encouraging prospects of success," is damped by what you mention of the injury and obstacles that you have incurred in your canvass, by the inference which is so unjustly drawn against your political faith, from the circumstance of your friendship for me. Some hints which I had before received to the same effect, induced me to abstain from writing any more while the canvass was going on, satisfied that your interests were in better hands. I knew long ago how much the virulent spirit of faction entered into every concern in the narrow but active society of Edinburgh; and that there was no injustice to personal character, however ridiculous, that might not be apprehended in a competition of a public nature. But I was not so much aware, as I find now that I ought to have been, either of the importance or of the infamy attached to my supposed opinions; nor was I egotist enough to have ever made the reflection till it was suggested to me, that the suspicion of having kept my company might so proscribe a candidate with the constituted authorities of my native place, that neither acknowledged merit and fitness would avail him, nor to have it known that our intimacy was begun long before either of us was capable of forming any opinions upon any subjects. I am quite vexed, therefore, at one step which I took in your favour, by writing about you to the Lord President,* and the more so, because I did not resolve upon it at last till after hesitation and a sort of mis-giving, by which I ought to have been warned that I might possibly be doing you harm instead of service, though my reluctance at the time was only against writing to him without any

* Mr Blair.

previous acquaintance. I have so high an opinion of his general liberality of mind, that I will flatter myself he may still ascribe my letter to motives of friendship, and therefore not make use of it as evidence against you. But as he has no means of knowing anything about me, I am afraid he will be open on this occasion to such impressions as others will be ready to give him, and therefore allow no other weight to my testimony than as to one of the gang vouching for another.

If you do succeed, it will be a great enhancement of your satisfaction to have made no compromise with these inquisitors, who, to serve the purposes of a very low and selfish cabal, have established a presumption against every man's loyalty who thinks for himself, and have enacted of their own authority a degrading and injurious test even for offices of learning. If you should fail, to have withheld such a compromise will furnish an adequate and permanent recompense for the whole of your future life.

For myself, I know that reflections of that sort strengthen me for bearing without much resentment not only calumny, but even the ill-will of persons whom I respect, and encourage me to wait without great impatience for the tardy but certain establishment finally of a juster character. Nor should I often think it worth my while to regret the existence of such mistaken imputations, were it not upon occasions like the present, when they disable me from aiding a good cause as I could wish. *Nitor in adversum*: when I am better understood, I shall be more useful. Excuse the haste with which I have written an answer to your letter, for I am very busy. I shall rely on receiving intelligence of the event. My best wishes attend you. Ever sincerely yours.

On hearing of Mr Pillans' success, he wrote to Mr Murray on the 23d of January:—

'Nothing has given me so much gladness and satisfaction for a long course of time as Pillans' success. It makes a most worthy and deserving man independent for life, in the situation which he is best suited for, and which he will delight in and be proud of. It is a great benefit gained to the Edinburgh system of education, and it is a triumph to liberality and independence of thinking. I must own that the electors and their advisers have gone much beyond my expectations; their conduct is truly honourable to them. I take it for granted that they have been chiefly directed by the president, and the weight of his character.'

On the 22d of January he wrote a long argumentative letter to Mr Murray on the position which the Whig opposition, if invited to take the government, should assume on the question of Catholic emancipation. He was opposed to any compromise: coming to this conclusion:—

'I would have them resolve, if they think of coming into office, to do something for the Irish Catholics without delay; and I would have them state such their intention, fairly and explicitly, to the king when he sends for them.' In continuation, he says:— 'What I look upon to be the great evils of our present political condition are, the bad opinion which the public entertain of the principles and steadiness of political men, and the loss of confidence between the aristocratical opposition and the democracy; even the waste of our finances and reputation by the present incapable set of men is, in my mind, a mischief of less momentous consequences, and more easily to be repaired by a change, than the crisis which may be dreaded from the farther growth of those former evils, especially the latter of the two. They would both of them receive a large increase if the people were to take an impression, however incorrectly in point of strict conclusion, that the question of Catholic emancipation was abandoned for the sake of office; and I persuade myself that a steadfast, calm adherence to that principle of administration, would gradually restore the confidence of the honest and rational part of the people in the honourable, enlightened, and sufficient men who are at present the chiefs of the English aristocracy. What I regard as the greatest good that could happen to our constitution in its present state, would be a victory, by main force, over the court, upon a great fundamental principle of liberty or toleration; and though I agree that the chances of such an event are not very favourable in the present strength of the crown, and in the present bigoted state of the country in matters of religion, yet I do not even regard the chance of success as desperate; and it seems to me something very like acquiescing in despotism, for public men to govern their line of measures by an assumption that particular measures, essential to the salvation of the country, cannot be carried against the individual opinion of the reigning sovereign. But next to that greatest good which could possibly happen is, the benefit to be derived from building up in the country a vast party, cordially united upon public principles, who, supported by the intelligence and activity of the middle orders, wait with cool resolution for the first opportunity, when they can demand, with decisive voice, the establishment of those laws and maxims of administration which are required by the necessities, as well as by the improvements of the times. * * *

What is most urged against this my position, of the loss of public character by temporising about the Catholic question, is that the people are not in favour of Catholic emancipation. But this is not satisfactory. In the first place, I am not sure that the people are so wrong, or at least obstinately so, upon that subject; for though there is still a good deal of bigotry, it seems to me so much weakened, and better opinions to have gained so much

ground in the educated classes of the people, that it is now fit for those who are impressed with a sense of the urgent practical and immediate utility of the measure to force it upon the people as well as the king. But in the second place, even if the Catholic claims be unpopular, I do not see that this will save the character of those who have hitherto maintained the necessity of the concession, and who would seem to relinquish it for the sake of power: it is possible that that very relinquishment might make the claims more acceptable to the people; and I should conjecture, from Cobbett's recent wheel upon the question, that that very sagacious judge of the popular sentiment felt that, in the expected abandonment of the Catholics, he would gain fresh materials for degrading the characters of public men among the multitude: besides, though the people like their Protestant prejudices, what they like much better now is a great man who will not take office. This may be carried in some instances an unreasonable length; but the sentiment has been gradually produced by circumstances, which make the imputation upon which it is founded not so unreasonable.'

The following letter from Mr Murray alludes to a circumstance in Horner's history of which there is no further explanation:—

'EDINBURGH, 8th February 1819.

I was much gratified with your note of the 30th. I had before heard various reports that you were to form a part of a new administration. You were sometimes designed secretary for Ireland, and various other political situations were assigned to you. The same morning that your letter arrived, I had some conversation on the subject before I received it, and I expressed my belief very confidently that you would not accept any political situation. If I had received your letter at the time, I might perhaps have been a little more reserved in expressing my opinion than I was, when I did not even know that it had been offered, and felt no restraint from that circumstance, and your kind and friendly confidence. You have decided most wisely for your own happiness, and I think well in every other respect. I believe there is no department in which your attainments and views can be of so much use as in that which you have traced out for yourself. If you remain out of office, your weight and influence upon general questions will increase every year. You will have the choice of those in which your interference may be of use; and in the great department of the legislation connected with English law, the circumstance that you belong to the profession will give you more authority and influence than you would have were you to leave it. Who is there to second Romilly, and to succeed to his views and principles in the pro-

fession? In all great and essential points you agree, and the tone of your opinions is more English, which may enable you to make improvements palatable which he has failed in accomplishing. Much is also to be done in opposing bad laws, and there the circumstance of being a lawyer is of great importance. I consider a new ministry as now out of the question.*

In conformity with the spirit of this counsel, we find Horner himself on the 10th of February, and before he could have received his friend's letter, thus writing to Romilly:—

'It appears to me to be very important that you should publish your speech of last night, if you can possibly find leisure for it while it is still fresh in your mind.* The irresistible argument for your particular bills, which is founded upon the returns, will not be seen in all its force unless the numbers are all set down; and then I am quite persuaded that upon the subject of a reform of the criminal law the public is quite ready for instruction, if delivered to them with the authority of your name, and with the attractions which your topics of reasoning and illustration cast over the argument. It is because you cannot know this so well as others that I take the liberty of suggesting to you to make this exertion, always an irksome one, but which will be greatly and immediately useful. It will tend very much to make your future progress in the same subject more easy. Nothing seems to me so certain now as that Parliament in all these matters of legislative improvement follows only the public opinion; and that to overcome in the House of Commons the resistance of which Plomer is so worthy a leader, you must bring the weight of public opinion to bear upon the House, by enlightening it through the press. On the subject of the criminal law, the prejudices are all among the lawyers; the public in general seem to have none, and at the same time take a lively interest always in such discussions.'

Parliament met on the 23d of January, and on the 1st of February Mr Horner took the initiatory step in the inquiry into the alleged depreciation of bank notes, which he afterwards so ably conducted. It was this measure which first brought him

* Feb. 9th.—I moved for, and obtained leave, to bring into the House of Commons three bills to repeal the acts of 10 and 11 Will. III. c. 23., 12 Anne, st. 1. c. 7., and 24 Geo. II., which punish with death the crimes of stealing privately in a shop goods of the value of five shillings, and of stealing to the amount of forty shillings in dwelling-houses, or on board vessels in navigable rivers. The solicitor-general, with his usual panegyrics on the wisdom of past ages, and declamations on the danger of interfering with what is already established, announced his intention of opposing the bills after they should be brought in.

March 12th.—I published the substance of my speech of the 9th of February in the form of a pamphlet.—*Memoirs of Sir Samuel Romilly* (1st edition), vol. II. p. 303.

into general notice as a member of the House of Commons, more especially in the following year, when the publication of the Report of the Bullion Committee, the debates in both Houses of Parliament which arose out of that report, and the measures that were adopted relative to the currency, excited the public attention to a high pitch. On this occasion he moved for a variety of accounts and returns respecting the existing state of the circulating medium and the bullion trade. He said—

‘That it was his decided opinion that it was necessary for the House to make an inquiry into the causes of the present high price of bullion, and the consequent effect upon the value of the paper currency, not only on account of the real importance of the subject, but in consequence of the great misconceptions which too generally prevailed respecting the causes of the actual situation of the country with reference to this subject; that the most effectual mode of investigating this highly-interesting question would be by a select committee, and that it was therefore his intention, on an early day, to move for such a committee: but that it would be not only convenient, but indispensable, in the first instance, to obtain all such information on the whole of the subject as papers might afford, which information could afterwards be referred to the committee.’ After some further general observations, he concluded by moving for eight different returns respecting bullion and the issue of bank notes.

The committee was nominated on the 19th of February, without any preliminary remarks by Mr Horner. It was directed ‘to inquire into the cause of the high price of gold bullion, and to take into consideration the state of the circulating medium, and of the exchanges between Great Britain and foreign parts.’ It consisted of twenty-one members,* and met on the 22d, when Mr Horner was chosen as chairman. It continued its sittings till the 25th of May, having sat thirty-one days, and examined twenty-nine witnesses. Mr Horner was in the chair at twenty-one of the meetings: between the 19th of March and the 16th of April he was absent on the circuit, when the chair was generally taken by Mr Huskisson.—[L. H.]

On the 8th of June Mr Horner presented the Report of the committee to the House.

* Among the members of the committee were the following:—The Right Hon. Spencer Perceval, Chancellor of the Exchequer; the Right Hon. George Tierney; the Hon. James Abercromby (the present Lord Dunfermline); Henry Parnell, Esq. (the late Lord Congleton); Alexander Baring, Esq. (the present Lord Ashburton); William Huskisson, Esq.; and Henry Thornton, Esq., bank director, and author of the work on the ‘Paper Credit of Great Britain,’ reviewed in the ‘Edinburgh Review’ by Mr Horner in October 1802.—L. H.

LETTER TO LORD GRENVILLE.

‘LINCOLN’S INN, 11th February 1810.

MY LORD—The unsatisfactory returns which are made to the orders which I moved for in the House of Commons upon the subject of Bullion and Currency, and the ready desire which was expressed on both sides of the House to see that subject fully examined, induce me to propose in a few days the appointment of a select committee. But before going so far in a matter of such public importance, I feel an anxious wish to have the sanction and benefit of your lordship’s advice as to the proper objects, as well as the best course of investigation, in order that it may be conducted to a useful result. Hitherto I have abstained from forming any conclusion, even in my own mind, respecting the causes of the present state of money prices; nor am I sure that I have yet gained a clear and exact notion of that change, whether depreciation or not, of which the cause remains to be ascertained. In this suspense of opinion, I have been desirous, before I enter into the inquiry, to collect the various solutions which the difficulty may seem to admit of at present, while our information is incomplete, in order that the search for further information may be so directed as to bring each of those explanations to the test. I fear that I ask too much of your lordship, whose time is so filled up, in requesting that you would have the goodness to instruct me in the views which your lordship entertains upon this important question; but I am prompted to make that request by my anxiety to get into the right tract through so intricate a subject, and by my conviction that injury of no slight degree may be done to the public interest by taking a false step, and even by the publication of erroneous opinions. I have the honour to be, &c.

LORD GRENVILLE’S REPLY.

‘CAMELFORD HOUSE, 12th February 1810.

DEAR SIR—I saw with the most lively satisfaction that you had announced an intention of taking up a subject of so much difficulty and importance as that of the present state of the currency of the kingdom, and of the trade in bullion. It would give me great pleasure to have an opportunity of conversing with you on the subject, at whatever time would best suit your own convenience. I am generally at home from twelve to two, but I could with equal convenience fix any other hour that might suit you better, and be less liable to interruption.

The difficulty of arriving at any precise opinion as to the causes of the existing evil, arises in great degree from the concurrent operation of so many circumstances wholly unprece-

dented. Nothing but a well-conducted inquiry, ascertaining as distinctly as may be the real effect (as it is now practically experienced) of each of these circumstances, separately or combined with the others, can give one full satisfaction as to the application of those theories, which one's general notions of the subject would lead one to form upon it. But on a general view, I am inclined to attribute the effect complained of, in a very great degree, to the stoppage of money payments at the Bank—a measure originally adopted to meet a sudden and very urgent pressure, but I think very ill calculated for any long continuance. While the necessity of money payments then continued, every increased demand for bullion, which either the ordinary fluctuations of trade, or the extraordinary circumstances of these times occasioned, was immediately felt there, and was met, or ought to have been so, by adequate measures to diminish the circulation of paper, and by a corresponding issue and importation of bullion, by a body possessed at all times of a considerable store of that article, and having both capital and commercial means for rapid purchases and importations.

I am far from thinking that the question admits of so simple a solution, as to be answered merely by a reference to this single principle; but I am inclined to believe that its operation will more or less be traced through all the complicated details in which the subject is involved; and I entertain sanguine hopes that, under your conduct, the inquiry will lead to an issue satisfactory both in the elucidation of this branch of political science, and in the practical measures to which it may lead.—Believe me, &c.

*Note by Mr Horner, * dated the 3d of April 1810.*

‘In the late vote on the Walcheren † question there were many members, I doubt not, who voted with ministers, though they condemned the whole of their conduct in that fatal expedition, from a sincere conviction of the superior fitness and excellence of the present set of ministers for holding the government in the present circumstances above any other set of public men.

The vote of such men may have been given in consequence of

* After he had ceased to keep a Journal, Mr Horner appears to have been in the habit of making notes on separate slips of paper, to which he affixed a date, usually under some general title, such as, ‘Political Anecdotes,’ ‘Political Philosophy,’ ‘Temper of the Public Mind,’ &c.—L. H.

† On the 30th of March, Lord Porchester moved a series of resolutions condemning the conduct of ministers in the late expedition to the Scheldt. The last of the resolutions concluded with these words:—‘And that the advisers of this ill-judged enterprise are, in the opinion of this House, deeply responsible for the heavy calamities with which its failure has been attended.’ On the division, 275 voted for ministers, and 227 for the resolutions; giving ministers a majority of 48.—L. H.

their perceiving that, if the House condemned that expedition by a vote of the majority, the king would be compelled to change his ministers. I have no doubt that a sufficient number of men were influenced by this manner of considering the thing, to give the ministers the majority they had, when added to their crowd of corrupt, devoted, or unthinking partisans. Perhaps this is far from being the only instance that might be mentioned, in which well-meaning and disinterested members of Parliament have been deterred from voting in condemnation of a particular measure of government, lest the effect of that vote should go farther than they wished, and lead to an entire change in the administration.

In this manner it would appear that the weight and importance which belongs to a vote of the House upon what is called a ministerial question, is itself a cause of the House departing in particular instances from its professed and proper line of duty: and thus the power which the House has over the crown does in a certain respect make it likely to fall into disrepute with the people. The regular division of political reasoners and public men into two distinct parties in this country, has probably led to this state of things in the House of Commons.

Whether such a state of things be more or less expedient than that other, more agreeable at least to the theory of the constitution, in which the Parliament should exercise its controlling and inquisitorial functions, by adhering, as nearly as human nature will permit, to the exercise of a sort of judicial opinion upon the merits of each particular measure of government, is a speculative question of some curiosity and difficulty. That it is not wholly a speculative question, however, may be seen from this, that a certain number of members in the House of Commons at present profess to act independently of party; and one or two of those who profess it, do in fact keep themselves independent. A considerable difference has taken place in the circumstances by which this question of expediency is to be solved, since the increase of reading, and of the daily press, has brought almost every question of government and Parliament to the bar of the people, who will of course pronounce upon each question separately, without looking to the distant operation of a more complex system of conduct, and may therefore come (as they have done) to look upon parties in Parliament as a juggle, and Parliament itself as uninfluenced in its decisions by any regard to the real merits of the questions which are discussed there, or to the interests of the public.'

On the 26th of March Sir Francis Burdett was committed by the House of Commons to the Tower, for the publication, in Cobbett's Journal, of 'a libellous and scandalous paper, reflecting upon the just rights and privileges of this House.' Sir Francis

brought an action at law against the Speaker for issuing the warrant for his arrest and imprisonment, and another against the Sergeant-at-arms generally, for executing the warrant.

On this subject there is the following note by Mr Horner, dated the 6th of May :—

‘The proceedings at law on the part of Sir Francis Burdett against the Speaker of the House of Commons raise this question—Whether the House ought to suffer its Speaker to appear in the court below and plead, or to deny that its privileges shall in any manner be examined and judged of in any court of law; and so to exercise its power of commitment, for breach of privilege, against every person who takes any step in those proceedings, as by intimidation to put an end to them?

It is a subsequent question, Whether the Speaker shall plead to the *jurisdiction*, or shall plead the orders of the House *in bar* of the action!—which does not arise until after the Speaker has entered an appearance. The prior question is—Whether he shall appear and plead!’

On the 9th of May he says in a letter to Lord Holland :—

‘I am ashamed to say that I am in a sea of difficulties and doubts about privilege; and what keeps me so long in uncertainty is, the confidence with which I hear both the opposite opinions maintained. I am much shaken by Pigott’s speech; and though I see Lord Erskine’s is as much relied on by the other side, it was so wild and foolish as to give me a still greater bias. Then there are Romilly and Wilson the other way, and the latter especially has great weight with me, so much am I the slave of authority on such occasions; but in such an emergency, when my oracles give discordant responses, I mean to try if I can form an opinion for myself, provided I can get leisure.’

On the 18th of May, Mr Davies Giddy brought up a second report from the committee appointed to consider the notices of action sent by Sir Francis Burdett. On the motion that it be laid on the table and printed, Mr Horner said—

‘He was surprised that the committee should have thought it necessary to go into such details, with respect to a right which the House undoubtedly had exercised from time immemorial. He did not think the committee were entitled to go into an argumentative detail upon the subject; and if such a report should be received without any notice being taken of it, the foundation of the privilege might be brought into doubt, where otherwise there could have been no reasonable ground whatever of doubt on the subject. He believed this was the first time that a committee appointed for an inquiry into the privileges of the House had resorted to the authority of the courts of law and of judges. He

believed it had been the constant maxim of the most enlightened men who lived in times when the principles of liberty were at least as well understood and acted upon as now,—men who had defended the liberties of the people through the privileges of that House—that their privileges were not to be judged of by analogy to common-law proceedings, nor to be founded upon the authority of judges. But, not content with adverting to common-law proceedings, and the authority of judges, the committee had gone into a detailed reasoning upon the general expediency of this privilege. This did appear to him to be going beyond their authority: they should have looked at the Journals, and stated simply in their report what was to be found there as to the privileges of the House: they ought not, in his opinion, to have entered upon general discussion as to the question of utility. They would not, he believed, be borne out in the course they had taken by the practice of the best times. Then they said that the existence of the privilege had been assented to in a conference with the House of Lords: this did appear to him an improper mode of supporting the privileges of the House of Commons. Their dissent could not have weakened the real foundation of these privileges.’

The subject was resumed on the 23d of May; and after several members had spoken, Mr Horner rose to move the recommittal of the report, with a view afterwards to move resolutions declaratory of the existence of the privilege to the utmost extent to which it had been claimed. He said—

‘The more he considered the objections which he had on a former occasion stated to the report, the stronger they appeared to his mind. He objected to the reference to the authority of courts of law, and to the admission of the existence of the privilege on the part of the House of Peers. He objected to the argument founded upon the analogous proceedings of courts of law. The authority of the common-law courts to proceed by summary attachment was founded on immemorial usage; that of Parliament could not rest on any such foundation. He thought these matters extraneous, and calculated only to throw a doubt upon the existence of the privilege; which doubt might have the most pernicious effect at a future period, if the time should ever arrive when the crown might find it convenient to join a popular clamour against the House of Commons. All this irrelevant matter, he thought, ought to be struck out.’

He concluded by moving that the report be recommitted; but his amendment was negatived without a division.

In the following extracts from letters to Mr Murray, this question holds a prominent place:—

22d May.—‘It is of the essence of the republican spirit to hate

every semblance of discretionary power, and particularly the complex structure of a mixed government, in which there is a conflict of such powers, and to insist that all authority should be reduced to the rules of a constant law administered in a course of judicial proceeding. The lawyers are brought to the same conclusion by the habits of their professional life, and resent, as a sort of reflection cast upon the perfection of their system, every departure from their modes. The present ministers, who are almost all lawyers, bred upon the lowest benches of the forum, are guided partly, I have no doubt, by their old habitudes, though much more by the convenience of taking that course which shall most easily bring to an end, or seem to bring to an end, their present difficulties. Both the republicans and the lawyers appear to me wholly mistaken as to what it is possible for the law, judicially administered, to accomplish, as well as what the constitutional law of this country has provided for cases like that which has occurred. It is not in human nature possible to frame a government without leaving a certain power, not indeed arbitrary, and wholly without rule, but discretionary, and to be exercised within certain rules, according to circumstances. * * *

My view of parliamentary privilege is this, that it is not a law to be applied (like the rules of criminal justice) to every case that occurs, and which is brought before the court, but a discretionary power, to be exercised or not, and to the full extent of the rule, or much short of it, according as it shall, upon a view of all existing circumstances and probable consequences, appear to be useful and necessary, or otherwise, that such an interposition of authority and punishment should take place. But then I have another doctrine, that this power is not unlimited and undefined, but of limits and a definition which may be certainly known, by consulting properly the records of parliamentary customs and usage. * * * I cannot at all approve of the doctrine which Mr Ponsonby quoted the other night, with approbation, from Blackstone, that it would be inexpedient and hazardous to the independence and authority of Parliament to have its privileges defined. They seem to me to be all very plainly defined already, as much as things of that nature can be; and if they were not, I should think it most wise to give them at length that definition. We have defined prerogative, which was perhaps a bold experiment in government; the success of it may satisfy us that there is no hazard in bringing privilege, if it be yet to bring, within the bounds of legal description. But by legal description I do not intend a statutory enactment, and still less the more narrow conception of the law as administered in the courts of justice, but in the manner practised in all ages by Parliament, by a resolution of the House itself. * * *

26th June.—I hesitated a good deal before I acquiesced in the

doctrine of privilege, to the extent to which I would now be prepared to state it; but I am satisfied now, after as accurate a view as I can take of what is the real necessity, that it is necessary, for the efficient existence of the Commons' House, that they should be intrusted with the discretionary privilege of punishing, by commitment, those who either obstruct or libel them.

11th June.—Before the inhabitants of Edinburgh are scattered into the country, I wish very much you would take some opportunity of sounding them upon the question of Scotch parliamentary reform. The longer I live, I become the more keen on that subject; both because I become daily more convinced that there is no part of the kingdom which would send more useful representatives than Scotland would, if there were a popular choice; and because it is manifest that none of the other great objects can be gained for Scotland, such as jury trial, until you have more active representatives. The measure will never be carried without a very decided opinion in favour of it, indeed a strong call for it from Scotland; such as there seems to have been before the excesses of the French Revolution stopped the progress of all our political improvements. I know there is no such anxiety upon the matter at present; but one should like to feel the pulse, and guess whether, by administering proper materials, the fever could once more be brought on. * * *

26th June.—The report of the Bullion Committee is not yet out of the printer's hands, so that those who praised it to you were liberal enough to bestow that praise upon credit. I can let you into the secret, however, that the report is in truth very clumsily and prolixly drawn; stating nothing but very old doctrines on the subject it treats of, and stating them in a more imperfect form than they have frequently appeared in before. It is a motley composition by Huskisson, Thornton, and myself; each having written parts, which are tacked together without any care to give them a uniform style, or a very exact connection. One great merit the report, however, possesses; that it declares, in very plain and pointed terms, both the true doctrine and the existence of a great evil growing out of the neglect of that doctrine. By keeping up the discussion, which I mean to do, and by forcing it again upon the attention of Parliament, we shall in time I trust effect the restoration of the old and only safe system.

The story you heard of Lord Erskine and the prince had some foundation; but was exaggerated, and the scene was mislaid. There was some argument between them about privilege, at a dinner at the Foundling Hospital, which was magnified by Erskine's enemies into a sharp and angry dispute. But I understand it was at a private dinner that the retort you allude to was made by the prince, who, when Erskine said the principles he

maintained were those which had seated his royal hi family on the throne, said they were principles which w seat any family from any throne.

I have no idea that there is any serious displeasure fel prince against Erskine on this account; though Erskine left it to this day for him to prove that, rather than y public opinions, he is ready to encounter that displeasu opinions upon this occasion are, I think, quite erronee prejudices as a lawyer, perhaps an itch for popular favi haps too a dislike of the House of Commons, all conspire him wrong. The House of Commons was not his th glory; he was perpetually losing there the fame he won i minster Hall.

What a curious scene was exhibited last week in tl and what would John Wilkes, or Cardinal de Retz, h to such a false step as Burdett has made, in failing to in the procession prepared for him? He has acted in more temperate and peaceable part than I had previous him credit for; but it is manifest that his conduct is incc with itself; that all he had done before required him to and that he had advanced too far in the popular race back. His popularity is accordingly very much impaire agitators and desperate spirits have had it proved to th he is not a leader for them, and has not mettle enou the good-hearted mob have found, to their disappointm whether it be want of courage, or too good a taste, he always enter into all their noise. The more intelligen party must be satisfied that he is deficient in resolution, & not always be depended on. His powers of doing misce diminished, therefore, if he ever had any mischievous which I do not believe; and if the public were once that he is no longer popular with the multitude, and formidable, I think he has qualities that would enable his way, to do good occasionally, and to assist other pub in doing good in theirs. Vain he is, no doubt, and alway upon the suggestions of others, and those often inferior to but he has a prompt indignation against injustice and opr

the capital, to which it was confined before; but in the end they have lessened it in the capital.'

LETTER TO FRANCIS JEFFREY

'LINCOLN'S INN, 16th July 1810.

I am just returned to town, after an absence of about ten days. The Bullion report, I am rather surprised to find, is not yet delivered from the printers; I revised the proof-sheets before I left town. I would rather do something for you myself, if you will let me know the utmost time you can allow me; rather, I mean, than trust that subject in the hands of any of your mercenary troops, one of whom was guilty of deplorable heresies in the account of a book by one Smith. I will do a short article for you this time, to do justice to Mr Ricardo and Mr Mushet, who called the public attention to this very important subject at the end of last year.

Will you allow me once again to protest against your suffering so much party politics in the "Edinburgh Review?" You know my sentiments on that point long ago; nor would I now obtrude them, if I had not been led to feel with increased weight the justness of all my former objections, by the manner in which the last number has been received. I am quite sure the character and efficient usefulness of the work is very considerably impaired; and it appears to me to be of great public importance that that injury should be retrieved as speedily as possible. The power of the "Review" over the public mind, which was once so great, and is still very considerable, depended very much upon that general tone of politics, which, when it was the transcript of your sentiments, it almost uniformly preserved. But the turn it has taken of late, by descending to questions between the ministry and opposition, and even to individual crimination, has lowered its name, and given a prejudice against all its opinions and reasonings, even upon other occasions. * * *

I must not conclude without thanking you very gratefully for the pleasure I received in reading your extracts from Crabbe's "Borough," some of which, particularly the *Convict's Dream*, leave far behind all that any other living poet has written. Does not your critique, in some of its expressions and illustrations, break in a little upon the doctrines which you urged against Wordsworth? In the general principles I am satisfied you are consistent, and as far as I am capable of judging of such matters, I think you right; but a captious person might set you in some sentences against yourself. You must some day or other bring your thoughts on the philosophy of poetry and poetic expression into the form of a systematic essay, which I shall insist upon your polishing with much care. That, and a little treatise on the

ethics of common life, and the ways and means of ordinary ness, are the works which I bespeak from you for after-tir

A short letter from Horner to Mr Murray, of the 7th explains that these two friends had made arrangements to go to Ireland, where the scenery of Killarney was to be the object; Horner having, however, 'a great curiosity to see thing of an Irish court of justice.'

From Killarney he wrote a letter to his mother, of 11: tember, containing the following passages:—

'We were three-and-twenty hours upon the passage, and twenty of those were to me hours of mortal sickness: I of poor Jonah in the whale's belly, and fancied myself in a plight as I lay in my crib with nothing to relieve me nausea but the sighs of sympathising Welsh, Irish, and around me—men, women, and children. I had just retire berth, and was in my first pangs, when I heard the low natured, vulgar voice of a raw-boned Scotch lad asking the boy, for information only, if "onybody was sick yet?" I say that I had not some satisfaction for a moment, when this bumpkin, about an hour afterwards, expressing his very different tones, as if he was about to render up his entrails. For all this, however, I was fully compensated view of the Bay of Dublin as we sailed into it: it is wide and broad; the coast all round appears lined with wood houses or villages; and the Wicklow mountains, which the left hand, have quite a Highland form and character.

We spent the best part of two days in Dublin. It is a handsome town; the quay along the Liffey, with the bridge after another, four or five of them, gives a fine town view there is one point where several public buildings are as together—the College, the Parliament House, and some others which I should be at a loss to say what there is in London equal—Whitehall I think is not. The public offices in Dublin all very ornamental buildings; the Custom House is most of, but I would praise the Parliament House, now the Bank highly. We went a few miles out of Dublin to see the Park, and a gentleman's seat called Luttrell's Town; the always recommended to strangers, but is hardly worth while; we were much more pleased with the grounds of the Duke of Leinster a little farther on, and with the site the village of Leixlip.

From Dublin we went to Limerick by the mail-coach, a tame country, level the greater part of the way, all where there is bog) under cultivation, and passing, in the of Tipperary particularly, some wild villages. The cultivation everything but potatoes seemed to be sorry; but its extent

great, as to give the idea of an immense produce, even if we did not see the multitudes who crowd the whole country. All that I heard in description of the numbers of the Irish, and of their dirt, rags, and beggary, seems to me now to have been short of the truth. The streets of Limerick were like a great fair, though it was not even market day, and this from morning to night. It seemed as if every house had poured out its inhabitants, yet every cellar we looked into seemed full. It was more or less the same in all the towns and villages we came through; and we never went a mile upon the highway without seeing a great many persons. None of them seem to have anything to do; through all that we should call the working hours of the day, we saw large lassies, and lads six feet high, lounging round the cabin doors. It is literally true that the only appearance of industry we saw was in the number of schools that we observed on this side of Limerick—schools for the ragged children of those same cabins: and we two or three times passed a little swarm of them sitting on the outside, to all appearance because it was quite full of them within, reading, writing, and ciphering. Murray got into conversation with one of the schoolmasters in a village where there was not a hovel better than a hog-stye, who was a young man, and who told him that *Telemachus* was one of the books he read with the children. All this, when one sees the idleness of the people, and the backwardness of the country, is a little puzzling. With this idleness, and dirt, and nakedness, they look a much happier people than I have seen in any part of England or Scotland. The English peasant is a torpid animal, and the Scotch one eaten with care, compared with the light-hearted, cheerful people of this country. They seem for ever talking, and in a high tide of spirits: their volubility is somewhat distressing, and their language is more full of submission than is pleasant, because it reminds one how they have been taught it by oppression; but among themselves they seem to have a great deal of merriment and enjoyment. They have all of them a real share of sharp drollery and imagery, enough to mark them as entirely a different race of people from those on our side of the Channel. I have seen but very little in the course of these few days; but all this, I think, I have observed distinctly. It is very likely they have not the same steadiness of understanding which makes the Englishman always a master of his own particular profession, and which makes the Scotchman (who seldom knows one profession thoroughly) ready to turn his hand to almost any one, and to get through it well enough to thrive by it; but the Irish have a quickness, readiness, and sharpness, which the others seldom possess.

Nothing has surprised me so much in Ireland as the excellence of the roads; all the way from Dublin, even into this unfrequented country, they are most admirable, and must have been made at a

great expense. Probably there has been particular attention paid to this since the rebellion, from political considerations: it is a care well bestowed, and must assist very rapidly the civilisation of the country. We came from Limerick by Adair, Newbridge, Glyn, Tarbert, Listowel, and Tralee. The views we had of the Shannon going down to Glyn, and of the mountains at Tralee, were very fine. We have spent this day upon the lower and middle lakes here: I must write another letter about this place: we have the best of it yet to see, but I would say already that it exceeds greatly all the scenery with which I have been hitherto acquainted.'

Parliament stood prorogued to the 1st of November, but had not been summoned to meet 'for the despatch of business;' and as the commission, which had been prepared for a further prorogation to the 29th, could not receive the king's signature, by reason of his Majesty's illness, both Houses met on the 1st.* On the proposition of ministers, an adjournment for a fortnight was agreed to; on the 15th, another adjournment to the 29th took place; and a third on that day to the 13th of December; the alleged uncertain state of the king's health forming the ground for these proceedings, and the consequent postponement of the important measure of appointing a regent.

On the 20th of December the House of Commons resolved itself into a committee of the whole House, to take into consideration the state of the nation, in consequence of the mental derangement of the king. Ministers proposed the appointment of the Prince of Wales as regent, and that the appointment should be made by a BILL. Mr Ponsonby, the leader of the Opposition, moved an amendment, that an ADDRESS should be presented to his Royal Highness, praying that he would assume and exercise the sovereign authority during the continuance of the king's indisposition under the title of Regent.

A long and interesting debate ensued, in which Mr Horner spoke at some length, strongly urging the adoption of the latter course of procedure, as more consonant with the principles and maxims of the constitution. The speech, which will be found in Hansard's 'Debates,' is remarkable for its full and minute development of the constitutional precedents applicable to the delegation or suspension of the authority of the crown, and forms a valuable

* In a letter to Mr Murray of 29th November, Horner says—'I am inclined to think that the king, if he does not die from bodily weakness, will recover from his present madness; but probably not for several weeks. The question for the Parliament seems to be—How long can the government go on without the monarchy? In this respect the royalists are playing rather a hazardous game; and as I am all for the monarchy, I wish the country and the Parliament were aware of this danger. In a mere party point of view, it is much wiser to let the ministers have all the time they wish to gain; for nothing is more to be dreaded, in the present circumstances of the country, than a short interval of a new administration under a precarious regency.'

essay on some branches of the royal prerogative. That his speech made a great impression, appears not only from the remarks made upon it in the House itself, but from the following letter which he received from Mr Cobbett, who at that time published the most accurate reports of the debates in Parliament:—

‘NEWGATE,* 30th December, 1810.

SIR—From what I have heard from several gentlemen, and especially from Lord Folkestone, I must believe that your speech upon the Regency question was one of the most important of the whole; and it is with great mortification that I perceive that my reporter has imitated those of the newspapers in giving you about a dozen or twenty lines. I did not know this till yesterday, when I had to review the matter prepared for the first part of the debates of this session; if I had sooner perceived it, I should sooner have made an application to you, to request you to have the goodness to write out, from your notes or recollection, the substance at least of what you delivered upon that occasion; for I should be guilty of shameful partiality were I to neglect anything in my power to give your speech its proper space in these debates. But I should inform you that it was not till the debate, in which your speech would have been, was actually going to the press, that I discovered the omission; whence you will perceive the necessity of my having any report of it that you may be pleased to furnish me with as soon as possible.

Mr Budd, who is the bearer of this, will bring me your answer; and if he should not find you at home, I beg the favour of an answer by letter as soon as possible, seeing that the press is now waiting.—I am, sir, your most obedient, &c. W. COBBETT.

In his answer, Mr Horner said—‘I owe you my best thanks for your obliging attention, in giving me an opportunity to insert in your Reports a note of what I said the other night.

But I am unable to avail myself of it: as my arguments turned chiefly on what had been urged by others in the course of the debate, I could hardly bring the different topics to my recollection without taking more time to do it than you can spare me.’

But on receiving a second application, with an intimation that the printer would wait till the 10th of January for his corrected report, he appears to have complied with Cobbett’s desire.†

The following letter to Jeffrey of 18th January, contains more sportive sarcasm than Horner’s earnest gravity usually permitted him to indulge in his correspondence:—

* Mr Cobbett was then undergoing imprisonment for a political libel. The Mr Budd he mentions was his publisher.

† The speech will be found in Hansard, and in the Appendix to the large edition of this memoir.

'I received Malthus's manuscript from you, and have since transmitted it to him, with such remarks as occurred to me in perusing it.

The "Quarterly Review" was sure to be right about depreciation; being under the command of Canning, who is under the command of Huskisson. I have heard it is George Ellis who has set Sir John Sinclair upon his black ram. By the way, I wish you would take Sinclair's *two* pamphlets into your own hands, and make fun of him in a good-natured way. You would do me a peculiar service if you will deal with his currency as you did with his longevity. The inconsistency of his opinions at present with those which he published in 1797, in a pamphlet against the Bank restriction, and which he repeated in the strongest terms in 1803, in the second volume of his "History of the Revenue," is rather a matter of grave charge, for which he ought to be put upon the defensive. I am told that George Chalmer has put forth a volume against us, more extravagantly wrong than even Sinclair; perhaps you could contrive to put them side by side into one frame, and exhibit the pair of portraits, like Noodle and Doodle in their old tie and buckle, and in the full complacency of conscious wisdom.'

From this point the letter, relapsing into its writer's more serious tone, discusses the state of European politics; and after maintaining that Britain is bound to keep faith with the Spanish insurgents, proceeds:—

'In the situation to which the continent of Europe is reduced, and in the situation which England commands, I cannot imagine a general peace of any duration; and without it, we can have no peace with France. I rest very little argument now upon the personal character of Bonaparte; the direct effect of his name and genius, so prodigious for a certain period of time, is at length almost sunk in that change of the state of the world which he has effected. I rest no argument at all upon his particular designs against this country, which is the grand reason with our vulgar for perpetual war; because, though to prevail over England must be the final scope and aim of his ambition, without which the absolute disposal of the whole continent leaves his love of glory unsatisfied, and would be insufficient to transmit his name to posterity as equal to those conquerors of former ages who overcame all that was great and civilised in their own time, and all that was opposed to them, yet his personal passion for making a conquest of us cannot be a better reason for war than the national design, pursued under all changes of government, which France has ever entertained against us, and which we have ever entertained against France. It is the natural condition and infirmity of powerful neighbours; which never can

become a reason to either of them for refusing to make peace with the other, as long as they preserve anything near an equality of force for the maintenance of war. My view of our situation is taken from other circumstances. What is likely to be the state of the continent for many years to come? And in the probable condition of the continent, what must be the conduct of England, which (whatever her interest might be, if it could be managed for years together with perfect wisdom), cannot but be impelled by the voice of the people, and by the ancient habits of political as well as commercial connection? If the whole continent were to be tranquillised into one empire, and should slumber for years in repose under a vigilant and well-organised despotism, no fate could be intended for us but annexation to the mass; nor could we devise any safety for ourselves but by adopting public institutions, and by fostering sentiments of individual ambition and conduct, of which defensive war and the most rigid prejudices of local patriotism were the constant objects. But it is seldom that human affairs fall into such a forced state. It seems infinitely more probable that the new empire of France will be perpetually disturbed by efforts in one member or another to throw off the yoke; in the north of Germany, for instance, where military genius might win a fair kingdom, or in the hereditary states of Austria, where the natives cannot yet have despaired of recovering their ancient independence. Should such chances arise, even if the struggle of Spain were over, I conceive it would be the duty of this country, and I am sure it would be unavoidable at any rate, to contribute from our resources every aid and encouragement to the insurgents. It is idle to sigh for peace, if it cannot be had upon system, and for a period to be sure of. England forms a part of Europe, and must share its vicissitudes and agitations.

The point to be considered is—By what mode, and upon what principles, the war may be conducted, so as to afford the best chance of contributing to the ultimate restoration of independence to some of those kingdoms, which never can be incorporated with France from the diversity of race and languages? In my judgment, we have only to act upon the principles by which Elizabeth was guided, and afterwards King William; forbearing all little bye objects of gain and aggrandisement, and keeping steadily in view, through all fortunes, and in the lowest depth of our despair, the ultimate partition of the continent into independent states, and the revival of a public law in Europe. For such conduct, looking so far forward, much patience, and constancy, and public integrity will be required; but it is a part worthy of this nation, and no more in proportion to its present means than it has done before.

You will consider me very belligerent: I do not know that

I ever before exposed to you, or indeed to anybody else, the full extent of my warlike disposition. It has been growing upon me ever since the news of the memorable day at Aranjuez.*

LETTER FROM LORD GRENVILLE.

'CAMELFORD HOUSE, 22d January, 1811.

DEAR SIR—I have waited with much impatience for your return to town, being very desirous of conversing with you on a subject in the highest degree interesting to myself. It may perhaps save some time if I take this mode of mentioning the matter to you generally, requesting at the same time that you will allow me the opportunity of seeing you on the subject to-morrow at any time that may suit you best. I shall be at home the whole morning.

There is some question, as I will then more particularly explain to you, of the formation of a new administration. In this arrangement, if it should take place, I have been requested to resume my former situation at the head of the Treasury, and Mr Tierney would in that case probably be Chancellor of the Exchequer.

It would afford to me, under the anxiety inseparable from such a prospect, a satisfaction not to be described if I could hope to persuade you to assist me as one of the secretaries of the Treasury. I do not mean to flatter you when I say that I should myself feel, and I am confident such would be the universal impression, that I had in that way secured the assistance of the person in all England the most capable of rendering efficient service to the public in that situation, and of lightening the burden which I am thus to undertake.*

Though no answer to this communication is known to exist, the manner in which it was received is explained in the following passage from a letter to Mr Murray of 30th January:—

'Of course you, who know me so well, could not entertain any apprehensions, from what you may have read in the newspapers, that I was likely to be tempted to take a political situation. I wish, however, to let you know, but in confidence for the present, that I have been put to the trial, and have decided, without any difficulty, to adhere to the rule which I laid down for myself when I went into Parliament, not to take any political office until I was rich enough to live at ease out of office.

There is a high probability that the regent will form a new administration, though the point is not yet settled; because the advice he has received upon the question is made to rest upon

* The answer to this letter has not been found.—L. H.

what he shall find to be the real condition of the king, which hitherto has been concealed from his family, and studiously involved in contradictory and false reports. My own conviction is, that he will be found so far from the appearance of a probable recovery, that the regent will take his measures as for a permanency. With a view to the arrangement that would then be formed, I have been asked, in a manner very flattering to me, to undertake the office of financial secretary of the Treasury; which I have declined. The opportunity there is at present in that department of rendering service to the country, both in meeting the difficulties which are coming on in its revenue, as well as commercial concerns, and in conducting to a proper result the discussions which have been stirred respecting the state of the currency; the field which is opened by the present state of the House of Commons; the pleasure of having a man in whom I entirely confide for my colleague; and the gratification of accepting office with the rest of one's party, at a moment when such a step is attended with some uncertainty and adventure, are considerations which would have strongly tempted me, if I had permitted myself to bring into doubt the propriety of my previous resolution. I decided therefore at once, and of course consider it a decision for life. I beg that you will not mention what I have now told you, for obvious reasons.'

It is interesting, in connection with this announcement of his views, to read his account of his professional prospects in a letter to the Hon. Mrs Spencer of 4th May:—

'I will reply to all your questions, though it will cost me some egotism. I did next to nothing upon the circuit; but that was not worse than before; I have no right to expect success yet. I am getting on at sessions, which is the step that leads to success on the circuit; and, considering everything, I have got on better than I had any reason to expect. It is a very slow progress that one makes in my profession, according to the usual routine of advancement; and I am not entitled to have miracles wrought in my favour, nor qualified to work miracles myself. I enjoy a very happy poverty, and though I shall be very fond of advancement, if it comes upon me, I shall not repine much if it never does. I am going to sessions at the end of this week, which will keep me from town about eight or ten days: I thought you had learned what these are, as distinguished from the circuit. Did not I teach it you, when you gave me a little dinner in Curzon Street, before setting out one winter night upon one of these irksome journeys? I do not forget anything that passed upon those pleasant occasions, which I often bring to mind as among the best days I have seen.'

CHAPTER X.

AGE, 33-35.—1811-1813.

Discussion on the Report of the Bullion Committee—Opinion of Malthus—The King's Health—The Nightingale—Geological Inquiries—Literary Leisure—Opening of Parliament—Sinecures and Vested Rights—First Indications of Failing Health—Sympathy of his Friends—Visit to the Scenes of his Boyhood—Notices of Stewart and Playfair—Harry Erskine in his Retirement—Return to England—Prospects of a Second Seat in Parliament—Reform Principles—The Invasion of Russia—Henry Hallam—Effect of Parliamentary and Newspaper Discussion on the Catholic Claims.

The great discussion on the report of the Bullion Committee commenced in the House of Commons on the 6th of May. The report had been presented to the House on the 8th of June preceding, so that it had been in the hands of members and of the public for several months. In the earlier part of this session several proceedings had taken place upon the subject preparatory to the chief debate. Thus, on the 20th of February, Mr Rose* asked Mr Horner whether it was his intention to propose any legislative measure on the subject of the report; and if it was, when he would be prepared to introduce the question for discussion?

Mr Horner replied that, 'in his opinion, the documents and accounts already before the House were amply sufficient to enable the House to proceed to this investigation without the production of any further papers; that he believed, however, that the accounts lately moved for would require some time, and create some difficulty, before they could be obtained; that he should therefore wait till his return from the circuit, and bring the subject forward early in April; and that it was his intention to submit a legislative measure, founded on the report of the committee; which measure would be the repeal of the Bank Restriction Act.'

On the 5th of April he stated more fully the course he intended to take. He said he had first been in favour of immediate legislation; but he had since, on consulting experienced friends, concluded that it would be advisable to submit to the House some previous resolutions, calculated to lay the foundation of a series of measures; and if the Chancellor of the Exchequer should entertain a similar opinion, he was desirous of making it immediately an order of the day, that the House should go into a committee for this purpose on Monday the 29th of April.

* The Right Hon. George Rose, Vice-President of the Board of Trade.

On the 11th of April, Mr Horner stated the substance of the resolutions which he intended to propose in the committee.

'The main purpose,' he said, 'which he professed to have in view, was to embody the opinions of the Bullion Committee into his resolutions, for the adoption of the House. In the first place, he would state in those resolutions that it was, from time immemorial, the custom, law, and policy of the country that the standard should be of the lawful coin of the realm; that having thus resolved, then it would be his object to propose that a deviation was apparent in the present currency, compared with the actual currency, as established by law. He should then propose to state what in his opinion was the cause of the deviation in the actual currency from what by law it was intended it should be; and next, to state what appeared to be the recent state of the foreign exchanges; and lastly, he should submit, for the approbation of the committee, what in his opinion appeared best calculated to remedy the evil complained of.'

He then stated the various regulations imposed by acts of Parliament, from the time of Elizabeth to the present time, for settling the standard.

'Upon these acts he should propose a resolution, stating that the only legal money which can pass is gold and silver, as declared by the various proclamations alluded to, with a reference to the acts; and that such being the fact, the fall or deviation in the currency was occasioned by too abundant an issue of paper by the Bank of England and country bankers; and that the only security for the country was to convert this paper into legal currency, at the option of the holder, at the then price of exchange; and he should conclude with a resolution, recommending, as expedient and necessary, the amending of the law which authorises the Bank of England to suspend their cash payments. These were, he said, the substantial heads of his resolutions; and he trusted that if gentlemen on the opposite side were disposed to offer anything by way of amendment, they would do him the courtesy to make him acquainted with the substance of their propositions previous to the day on which he should move the House to go into a committee.'

The Chancellor of the Exchequer, Mr Perceval, expressed his acknowledgments to Mr Horner for the candour of his communications, and assured him that the resolutions he intended to propose would be met with equal candour on that side of the House.

On the 24th of April, Mr Vansittart* stated his intention to propose a series of resolutions on the subject of the Bullion Report, in case those of his friend Mr Horner should not be adopted.

* Nicholas Vansittart, Esq., afterwards Chancellor of the Exchequer, the present Lord Bexley.

On the 30th of April the committee of the whole House was postponed to the 6th of May. Mr Horner on that occasion stated 'that he was perfectly prepared to go into the discussion at any time; but as the counter-resolutions of Mr Vansittart were founded upon an extensive mass of evidence, which it would be impossible for gentlemen to decide upon justly, without making themselves acquainted with that evidence particularly, he thought the delay would be useful.'

Mr Horner's speech on the 6th of May occupied three hours in delivery; and he concluded by moving a series of resolutions, sixteen in number. The debate was adjourned at half-past one in the morning: it was resumed next day, and the following, and was brought to a close on the fourth day, when Mr Horner replied. His resolutions were lost by a majority of 76—75 voting in favour of them, and 151 against them. A second division took place on the last of the resolutions—namely, 'That in order to revert gradually to this security (against an excess of paper currency, and for maintaining the relative value of the circulating medium of the realm), and to enforce, meanwhile, a due limitation of the paper of the Bank of England, as well as of all the other bank paper of the country, it is expedient to amend the act which suspends the cash payments of the bank, by altering the time, till which the suspension shall continue, from six months after the ratification of a definitive treaty of peace, to that of two years from the present time.' This resolution was negatived by a majority of 135—45 voting for it, and 180 against it.

A few days afterwards, Mr Vansittart brought forward his counter-resolutions, and at the close of the debate upon them, Mr Horner moved his own resolutions as an amendment, for the purpose merely of having them entered on the Journals.

Of the manner in which he conducted this business he received the following testimony from Malthus:—

'I congratulate you most sincerely on your two very able and eloquent speeches, which I hear from all quarters far exceeded what could possibly have been expected from the subject. I wonder, indeed, how you could contrive to treat a question, necessarily involving so many dry details, in a manner which seems to have so completely commanded the attention of your hearers. It is impossible that the discussion should not do good; and I have no doubt that you have convinced many who voted against you.'

Describing in a letter to his father of the 10th the progress of the measure, he says in continuation—

'The divisions were better than I expected, particularly upon the last; that division I took at a venture, contrary to the wishes of some who left me: but I am satisfied that good has been done by getting the 45 names which I shall have to show for that.'

One is very apt to fancy the best of the argument on one's own

side, and I am indulging myself at present in that belief. It seems to me that a very important impression has been made upon the House by the discussion, such as will not soon be worn out, and will be a groundwork for a future attempt of the same sort to cure this great disorder. It is very creditable to the House that so tedious a debate upon so uninviting a subject was heard with much attention, and without any impatience; nothing perhaps could prove more strongly that however the votes have gone, from timidity, as well as from the usual motives that make majorities, there is a general persuasion that something of importance to every man's own private concerns, as well as the public interests, was involved in the question.

The best speech was Canning's, which astonished everybody by the knowledge which he showed of the subject, which must be a very unpalatable one to him, and by the business-like manner in which he treated it; he had all his fancy and wit about him too, and played with the most knotty subtleties of the question as easily as if it had been familiar to him.

P. S.—Brougham made a speech in the Court of King's Bench yesterday which is highly commended.

Again, on 16th May he says—'I have at last got rid of bullion; the country, I fear, will not get rid of the necessity of resuming the question very soon. So far as the mere votes of the House of Commons go, mischief has been done by the Parliamentary discussion; for we have concluded by two resolutions, one of which misrepresents, in a very dangerous manner, the prerogative of the king over the standard of money, and the other is a ridiculous evasion of the fact of depreciation. They will probably give birth to a new host of pamphlets. But, in another point of view, the impression made upon the public mind, as to the importance of the question, I believe much good has been done: in the House, it was manifest that we established unanswerably our conclusions, though the apprehensions naturally excited by such a statement, and magnified by the obscurity in which most persons find themselves upon such a subject, make them dread the effect of confessing its truth. I hear also that there has been a considerable change in the sentiments of the city. You must be sick, however, of this business.

The king has been materially worse in point of bodily health lately, and the delusions of his mind are said to recur still very frequently. The ministers speak rather diffidently now of his ultimate recovery, though the physicians are as ready as ever to swear to it. The session of Parliament will probably be drawn out till after the first week of July, when there will be another quarterly Report from the queen's counsel. He complains very much of being under petticoat government, and is much puzzled to make out why he should be subjected to this thralldom at pre-

sent, when he says he is not worse than he has been for years. Such are the stories. There was a very affecting proof of his melancholy state given last week at the concert of ancient music; it was the Duke of Cambridge's night, who announced to the directors that the king himself had made the selection. This consisted of all the finest passages to be found in Handel, descriptive of madness and blindness, particularly those in the opera of "Samson:" there was one also upon madness from love, and the lamentation of Jephthah upon the loss of his daughter; and it closed with "God save the King," to make sure the application of all that went before. It was a very melancholy, as well as singular instance of sensibility, that in the intervals of reason he should dwell upon the worst circumstances of his situation, and have a sort of indulgence in soliciting the public sympathy.'

The following passage in a letter to Mrs Spencer affords in its tone a pleasant contrast to the gravity of the preceding documents:—

'I am amused with your interrogatory to me about the nightingale's note. You meant to put me in a dilemma with my politics on one side, and my gallantry on the other. Of course you consider it as a plaintive note; and you were in hopes that no idolater of Charles Fox would venture to agree with that opinion. In this difficulty I must make the best escape I can, by saying it seems to me neither cheerful nor melancholy, but always according to the circumstances in which you hear it, the scenery, your own temper of mind, and so on. I settled it so with myself early in this month, when I heard them every night and all day long at Wells. In daylight, when all the other birds are in concert, the nightingale only strikes you as the most active, emulous, and successful of the whole band. At night, especially if it is a calm one, with light enough to give you a wide indistinct view, the solitary music of this bird takes quite another character, from all the associations of the scene, from the languor one feels at the close of the day, and from the stillness of spirits and elevation of mind which come upon one walking out at that time. But it is not always so: different circumstances will vary in every possible way the effect. Will the nightingale's note sound alike to the man who is going on an adventure to meet his mistress, supposing he heeds it at all, and when he loiters along upon his return? The last time I heard the nightingale it was an experiment of another sort; it was after a thunder-storm, in a wild night, while there was silent lightning opening every few minutes, first on one side of the heavens, then on the other: the careless little fellow was piping away in the midst of all this terror: there was no melancholy in his note to me, but a sort of sublimity; yet it was the same song which I had heard in the morning, and which then seemed nothing but bustle.'

LETTER TO LORD GRENVILLE.

‘LINCOLN’S INN, 28th June, 1811.

MY LORD—I happened to be waiting at the bar of the House of Lords yesterday, when Lord Stanhope presented a bill for maintaining and enforcing the value of Bank of England paper; and I cannot resist the wish I feel to call your lordship’s attention to the great importance of what passed upon that occasion. The manner in which the extraordinary proposal of Lord Stanhope was received by Lord Liverpool and the Chancellor, and the opinions which the former intimated upon the subject of legal tender, convince me that the ministers have had the question of making bank notes a legal tender under their consideration, and that they are prepared to take the first opportunity of effecting that momentous change in the system of our commercial and financial economy. I have been confirmed in the same conviction by an expression which the deputy-governor of the bank used to me, just before the debate took place, in talking of Lord King’s notice to his tenants, that he hoped government would not be compelled to make their notes a legal tender. The directors affect to deprecate such an alteration of the law; but they look to it as their ultimate protection against the necessity, to which the general adoption of Lord King’s notice by landlords, and of such actions against country bankers as have been brought lately in the west of England, would compel the Bank of limiting its issues, in order to remove the depreciation of its notes. It appeared to me yesterday that the discussion brought on by Lord Stanhope gave the ministers an opportunity not merely of feeling the pulse of the House upon this question, but of making an impression favourable to such an expedient, when they shall hereafter bring it forward; and I cannot but think it will be a great misfortune to the public if the session of Parliament closes with such an impression as will be left both in the House of Lords and upon the public mind by such opinions, stated, and not exposed, nor protested against, by those who have most weight and authority. The several successive steps which have been observed in every country that allowed its currency to fall into a state of depreciation are coming upon us faster than was to have been expected in this country; and as there will be no recovery after bank notes are made a legal tender, the discussions which precede such a measure are evidently of the last importance.

I take it for granted that Lord King will attend on Monday: the turn which was given to the debate yesterday renders that indispensable. If your lordship can make it convenient to yourself to take a part in the discussion, I am persuaded that the expression of your sentiments will be of most essential benefit to

the public interests in this great question, and, I would even flatter myself, might deter the ministers from following so fast that course of measures into which their own infatuation and the ignorance of their commercial advisers seem driving them. I have the honour to be, &c.

The session of Parliament terminated on the 11th of July. After his concluding speech on the bullion question on the 15th of May, Mr Horner is not reported as having taken a part in any other subject before the House; and in the early part of the session, after his speech on the Regency, there are only short notices of his having spoken, on five questions, and all of them of minor importance.

In the following extracts from letters to his brother Leonard at Minehead, he will be found recurring to some of his early objects of interest in science:—

‘TORQUAY, 30th August, 1811.

I am engaged at present in reading your paper,* which I have not sufficient knowledge of external characters to get on with very rapidly; but I am very much delighted with the manner of it: the simplicity, plainness, and neatness of your style and arrangement are in perfectly good taste, and quite suited to your subject. I was glad also to see that you had preserved a candid and philosophical neutrality between contending systems; a circumstance which enhances much the value of your observations. Do not let this, however, prevent you from studying all the systems, and knowing the strong and weak parts of each; for, after all, a theory, but a true one, is the only legitimate aim of all particular observations and studies of nature, which end in nothing unless they serve to establish general conclusions; a remark, indeed, which is implied in what you have very justly and well expressed at the close of your memoir. I cannot tell you, my dear Leo, how much I am gratified, and how much my vanity and self-importance are raised, by this success of yours, which is so honourable to yourself, and which lends not a little credit to all who belong to you.

I forgot in my last note to say what success I had upon the last circuit: it amounted to little or nothing. I have not lost ground, however, but rather gained. In my own county I had more than at any former assizes; and at Exeter I led one cause, not a considerable one, but in our little routine that is looked upon as something. I scraped together about half the amount of my expenses.

You have little notion how beautiful a scene we live in here,

* On the Mineralogy of the Malvern Hills.

the walks we have all round. To increase the temptation, several most remarkable junctions of the limestone and the granite—the former of which is quarried upon the face of the hills at several places. Then you will be within eight miles of the Cornish coal, and the clay-pits, and within a dozen of Dartmoor.

Number 3.—The quarries have exposed several broad faces of the rock at different points of the coast, as well as inland; the most worked is the limestone, in some places a marble: they call what they call slate, and which they say lies above it, in a shivery state in which it appears all round the west of England for I take this slate to be the same grauwacke of which so much of the west of England consists. I have not yet seen the junction described by Mr Playfair in his book, a little south of Paignton, where he says the ancient schistus rests upon a covering of horizontal red sandstone: this is what I wish to examine particularly, in order to ascertain the relation the limestone has to those other two rocks. It is a conglutinate limestone of a very dark blue, full of calcareous veins; it is the same which Dr Berger describes between Chudleigh and Llaburton, and it would be important to trace how near it comes up to Dartmoor. Dr Berger does not appear to have come to Torbay; and it would appear from the manner in which Playfair mentions the north shore of the bay, that he had not seen the whole of it. Lord Webb, to be sure, must know it for he lived here a considerable time. You see, therefore, many strong reasons there are for your coming over to this as soon as you have done with grauwacke on the north.

I doubt very much whether you may not err in choosing the style of Mr Playfair's work as a model to be imitated, if you copy by style the mere structure of sentences. It is a charming style, and has an eloquence well suited to his subject; but it is, for this very reason, very hazardous to imitate it; for he has a manner and rhythm which the ear easily catches, but which, at second-hand, would not be so agreeable. The models to be followed are always those of the simple and pure sort; if there is a manner, and it is better avoided, let it be your own. In Playfair's composition there are merits of another sort, which can never sufficiently study, and labour to imitate: of these I will speak presently. But his style, like that of Mr Stewart, is full of beauties which are very attractive, but which it might prove pernicious to copy. I do not know any one English author of his line of writing who can be mentioned as a model; you must make yourself familiar with those who have written the language with the greatest purity and plainness, for if you can catch the genuine idioms of the true English dialect, you will always write well on a subject upon which you are in earnest.

The great thing to avoid is, an air of made sentences, which the illustrations of the Huttonian theory have perhaps rather too much recommended to your admiration. The little that I read of Saussure a few years ago has left a very favourable impression upon me. I should think that your best exercise would be to translate a volume of his travels, and make a point of rendering it into pure English, if possible. There is a little work of natural history the style of which I have always admired—White's "Account of the Country Round Selbourne;" he is an excellent describer, and writes in good taste.

But Mr Playfair's work deserves to be perpetually in your hands, for its merits of the highest order in philosophical composition. Though he has varnished over too partially the imperfections of Dr Hutton's reasoning respecting the hypothesis of a central fire, and in this particular has probably violated the rules of just philosophy, yet I know no work in which the logic of inductive reasoning may be learned to more advantage than in the "Illustrations." He always looks at his great subject in the just point of view, and sees it in all its magnitude. The precision and patience with which he deduces his reasonings upon the most minute particulars, and the grandeur with which he comprehends all the distant and complicated relations of the whole frame of nature, form a very rare union of philosophical powers. And this work, though the hypothetical part of its theory will probably be in a great measure dismissed, when our knowledge of the earth is more extended, may be a standard at all times to be referred to, both for the true description of the nature and object of geological science, and for the rules as well as for examples of the proper method of forming its general conclusions. You mention the contortions of the strata of grauwaacke which you have observed at Minehead; you will see some of the same sort here, and, if I am not mistaken, similar irregularities in the limestone. It seems to me that sufficient attention has not yet been paid by geologists to these appearances.

Examine the limestone at Watchet, and its relation to the grauwaacke there, that you may compare it with the limestone here, and consider whether there is a similarity in the relation.

Here is a whole letter upon a subject of which I know next to nothing: you will perhaps look upon me as somewhat like the gentleman who gave Hannibal a lecture upon the art of war. My secret purpose, however, is to bring you here.'

On the 4th of September he says, in a letter to Lord Webb Seymour—

'You ask me to tell you how I am employing my leisure. Alas! I am never systematic in execution, though abundantly so in my schemes. Besides, the air and scenery in which I live at

present are so agreeable, that I have hardly done anything since I came but drink the light by sun and by moon, and read Homer. One of my resolutions was to go through the *Iliad*: Greek is always a task for a Scotsman; and I rather think I have enjoyed it more here, and read it more currently, than I could have done in London. The sea, with its beautiful shores, and the neighbouring mountain, explain him better than a score of scholiasts. I have another set of books to fill me with meditations of another kind—Machiavel's "Discourses on Livy," Montesquieu's "Greatness and Decline of the Romans," Hume's "Political Discourses," and Burke's tracts on the French Revolution. I have read them at different times, till they are quite familiar; but I have never before brought them together, so as to compare them, and make them, as it were, sit in council, in my hearing upon the same points. My purpose in studying them is to apply their reasonings to the awful and desperate circumstances of our own time, and to apply these circumstances to their reasonings. I have, besides all this, brought two other books, which I do not know that I shall find time to open—Playfair's "Illustrations," and Paley's "Natural Theology."

You thus see my retreat from law and little politics. In my volume of Hume's "Essays" there are two which set me a-thinking upon some of your speculations—that on Tragedy, and that on the Delicacy of Taste and Passion, particularly the last. I wish you would examine the speculations which he has just raised in these two essays.

Here is a fact for you. A gentleman whom I met with about three weeks ago told me he was present at the execution of a man upon the wheel at Hanover not many years ago. The malefactor was a soldier, his crime a robbery, with atrocious violence. He knew he was condemned to die, but the manner of his death was not told him till he was brought upon the scaffold. The person who gave me the account stood very near him when it was communicated to him that he was to be broke on the wheel: the instantaneous effect upon his mind was, that he looked at his limbs, his arms, his legs, one after the other. He submitted to his fate with fortitude.

LETTER TO MR MURRAY.

'LINCOLN'S INN, 23d November, 1811.

I am much surprised to hear that some persons entertain a doubt whether Gillies has done right, in point of political principle, by his acceptance of the judicial place offered him by the government. To me it appears most certain that the office of judge in any of the supreme courts is, and ought ever to be, regarded as entirely independent of political party; and that when the

ruling party is compelled, either by a just sense of merit and public duty, or by the utter incapacity of their own troop of adherents, to look for judges in the opposite band of barristers, he to whom the offer is made (supposing it to be made without any improper terms) is perfectly at liberty to accept of it, without any compromise of his principles upon the management of public affairs, and without any failure of duty towards the political party to which he has hitherto belonged. It is a fit question for him to put to himself, no doubt, on such an occasion, whether he feels inclined, and thinks it right, to quit the active duties—very important and useful ones in every free government—that are required of a party man, and which are incompatible altogether with the character and station of a judge; but that is a question which he would have no less to put to himself, and to decide on, if he received the offer from his own party. It is manifestly for the public interest, on various accounts, that the patronage of judicial situations should be uniformly regarded in this light by barristers of all parties; and none but the dunces, that are in the tail of each party, have any interest in establishing a rule to the contrary, which, upon the part of the men of talents who carry on the business of the bar, would amount to a self-denying ordinance, of the worst nature for the public. The principle upon which Gillies has most properly acted gives the state the best chance of having judges who really know the laws; and gives us a better chance of the sentiment being impressed upon them all, that, when judges, they are not party men; and the differences of political opinion that will still remain among them—for they are not to be required to have no opinions because they cease to enforce them by political activity—will give a fairer probability of an even and equitable determination in all state trials or political suits that may come into the courts of justice.' * * *

Parliament met on the 7th of January, and the session lasted till the 30th of July. Mr Horner did not originate any measure, and does not appear to have taken an active part in any of the great subjects of debate. He is reported as having spoken on several questions in the early part of the session; but all that is given of his speeches on any of those occasions occupies a very brief space in the columns of Hansard.

On the 17th of March Mr Perceval brought forward a bill for the purpose of continuing, under certain amendments, and of extending to Ireland, an act passed in the preceding session, which made bank notes a legal tender. It was discussed on the bringing up of the Report on the 20th of April; and Mr Horner is reported as having spoken 'at considerable length' on that occasion; but the report occupies a dozen lines only.

On the 7th of May Mr Creevey brought under the notice of the

House the large incomes derived by the Marquis of Buckingham and Lord Camden as tellers of the Exchequer, although wholly sinecure offices; and moved a series of resolutions, the purport of which was to reduce, and fix at a definite sum, the incomes of those officers. The motion was resisted by the government. Mr Brand moved, as an amendment, that a committee should be appointed.

Mr Horner on this occasion said—'He was desirous of stating his reasons for the opinion he entertained on this subject. No committee was necessary to prove what was an undoubted right. Had he entertained any hesitation on the subject, the speech of his right honourable friend (Mr Ponsonby) would have convinced him of this. Nothing, he conceived, could be so clear, as that in all regulations for economical purposes, vested rights must be sacredly protected. If there was even a solitary precedent, as had been alleged, in the year 1740, in which a contrary line of proceeding had prevailed, still he should hold that to be a bad precedent, and one which ought not to be followed. No man could deny the right of the House to regulate, reform, and even abolish offices; but still that must be done subject to regulations. He was prepared to go as far in regulations which had economy for their object as any man; but, in doing so, the rights of those having vested interests in such offices must be kept sacred. The property of the state was not to be protected at the expense of private property. All property was the creature of the law, and equally depended upon it for protection. If this principle were once broken through by the House, temptation would grow upon them, and there would be no end to it. He reminded the House that such an interference had been one of the steps taken by those frenzied politicians in a neighbouring country, to whom it was to be attributed that that country had so long been the prey to anarchy and every other description of horrors.' The motion was negatived by a large majority.

Mr Horner is not reported as having again spoken during the remainder of the session: his attendance had been very much interrupted by ill health. A dissolution took place on the 29th of September. The new Parliament met on the 24th of November, and sat till the 22d of December, when it adjourned to the 2d of February; but Mr Horner was not then a member of the House.

LETTER TO MALTHEUS.

'LONDON, 8th February, 1812.

I am very glad it occurred to you to offer Lancaster's committee the sanction of your name as a steward at our meeting; and I have written to Joseph Fox, telling him that I have reason to believe you would not refuse to serve in that capacity if it were proposed to you.

I entirely concur in your sentiments upon the subject that both societies ought to be encouraged; nay, I go a little farther, for if I could be convinced that the church would sincerely and zealously set themselves to accomplish the work of national education, the church should have the best of my wishes by preference; inasmuch as I regard the establishment as our best preservative against fanaticism, though I am persuaded it can only operate effectually to that end, or indeed subsist long as an establishment, by acting upon the true principles of the Reformation, of which educating the common people is the most important. It is impossible not to feel strong suspicions against the sincerity of all recent converts, especially from a prejudice which seemed but very lately so inveterate, as that of churchmen against the education of the lower classes. And even allowing them to be for the present sincere, it is hard to expect real and continued activity from that description of persons who have undertaken this charge. It is right, however, they should have a fair trial: the result will speedily appear, for we can only know them by their fruits; and the public will be ready to hold them to a strict account if they cannot, a year or two hence, give a satisfactory account of the efficient employment of the large funds which have been put at their disposal. In the meantime, they cannot crush the system of Lancaster, whose zeal is as unconquerable as that of John Knox; the only thing to be regretted is, that that zeal should have so large an admixture of polemic irritability, which begins, I fear, to disgust some of those persons whose taste is fastidious, and who cannot, for the sake even of the good that is effected, overlook the rudeness of the means by which such good has, almost in every instance of the sort, been accomplished.

It is about the middle of the year 1812 that the indications of failing health first make their appearance in Horner's correspondence. On the 24th July he writes to Hallam:—

'You very kindly enjoin me to give you some report of myself. Though not quite robust yet, I have the satisfaction of considering myself as materially improved in general health; for which I am indebted to the regimen which was enjoined me by my medical advisers. By persevering in that, and adding to it exercise on horseback, which, by constant experience, I find suits me best, I have little doubt of re-establishing myself in as much strength as I ever enjoyed.

I go from Bristol into Scotland, by way of the Lakes, that I may pay a short visit to Brougham. I shall remain in the north till it is necessary to come to Taunton for the sessions; after which, I shall pass the rest of the vacation with my family, wherever they may be. At present, they talk only of Hampstead; but as Hastings has also been spoken of, and the sea-

bathing always does my mother good, I think it is not unlikely that we shall go there in the month of October. I should be very much gratified if our arrangements should coincide, that I might have the enjoyment of your society away from London; but in the busy time of the year, I have so little opportunity of being with my family, that I make it a first object to live one part of the vacation with them.'

From some passages in a letter from Lord Webb Seymour, of 2d August, his symptoms appear to have created a lively sympathy, not unmixed with alarm, among his friends.

'Whishaw has just left us. Having had a good deal of conversation with him upon the subject of your health, I am become very impatient to see you; for your case seems to bear a great resemblance to my own, and I think I might give you some useful hints, founded upon my own long experience. Indeed, my dear friend, you must not trifle with your complaints. As I observed formerly, I am not alarmed by them, except in reference to your situation in life, and your habits. I well know the pain of submitting to inactivity, and am equally aware of the necessity of it, in such a case as yours. If you spend your autumn in rapid journeys, and a variety of animated conversation with minds in their full vigour, you will not regain health for the still more active exertions of the winter.'

In a letter to Mr Murray, of 2d August, he shows a desire to revisit the scenes of his native land.

'I have had the gratification of a very friendly letter from Brougham, in consequence of which I shall stay a couple of days at his house; after that, I leave the whole distribution of the time I shall pass in Scotland to your direction. The only engagement I have made is a visit to Raith, which I wish to pay when the General is there. Dunkeld I should like much to see again, though I like the remembrance of it too well not to apprehend some disappointment. I fancy Leonard will take Mrs Horner some way into the Highlands; and I think it would not be disagreeable to you if we could contrive to meet them somewhere, and pass one or two days in that sort of scenery with them. They will be at Edinburgh in the course of this week, as they set out to-day; that is, set sail, for they have resolution enough to encounter the horrors of so long a voyage. Direct your next letter to me at Brougham's.'

The following letter to his sister describes his progress northward, and his visit to the scenes of his boyhood:—

'EDINBURGH, 9th September, 1812.

MY DEAR FANNY—Leonard's letter to you more than a week ago explained to you why I have been so long of writing to anybody. My wrist is now so much better, that I can write without

any pain, though it must be some time before I recover the free use of my hand. I met with the accident in riding a little pony, which fell under me; and in saving myself, I came with my weight upon my hand.

I made a very agreeable journey with Serjeant Lens, the greater part of the way through country which was new; indeed the only portion of it I had seen before was in Cumberland, from Kendal to Penrith, which it was very gratifying to see again. We had as fine a day as could be, and had views of Windermere, Grassmere, and Keswick Lake, in all their glory. At Keswick we found Rogers the poet staying at the inn: he was good enough to take an evening walk with us, and led us to a favourite station of his, which gives the most striking prospect of the lake. As Murray could not meet me on the Borders, I postponed my visit at Brougham till my return, when he will accompany me thither: I only regret that I lost our intended tour through Ayrshire, which I must delay till another year.

Since I came to Edinburgh, I have been continually enjoying the society of my old friends, who have received me with all the affection that is most gratifying. It gave me a particular pleasure to find Mrs Murray* so little the worse for seven more years of old age: she is a little thinner, but only a little: in every respect she is entirely in possession of her faculties and excellent understanding. Next to Murray, I have lived most with Thomson,† who, since I was last here, has fitted up a very pretty house, and put in order his valuable library. We all spent a very pleasant day at his brother's parsonage at Duddingstone: and in the course of the morning, I went to the top of Arthur's Seat, with the two Thomsons and Pillans; the last of whom is, I take it, the most completely happy person in the Regent's dominions; having found exactly the corner that fits him in the world, where he can be most useful, and as universally respected. He has already done wonders with his school, and will yet do a great deal more: he thinks of nothing else. I have been for a couple of days also to Hatton, where Jeffrey lives in a great house, and writes his reviews in a little gilded closet; the Morehead family and his brother make up a household for him, in which he is perfectly comfortable, being strongly attached to them all. When I was there, I rode to pay a visit to Mr Henry Erskine,‡ who has retired from the bar, and is living among the plantations he has been making for the last twenty years, in the midst of all the

* Mrs Murray of Henderland, the mother of his friend.

† Thomas Thomson, Esq.

‡ The Honourable Henry (usually called Harry) Erskine, brother of the Chancellor, and celebrated as a wit. He had been lord advocate under the Rockingham and the Grenville administrations. He had just been compelled, by the state of his health, to retire from public life at the time when this letter was written.

bustle of business. He has the banks of the river Almond for about four miles : he told me he had thrown away the law like a dirty clout, and had forgotten it altogether. It is delightful to see the same high spirits which made him such a favourite in the world, while he was in the career of ambition and prosperity, still attending him after all the disappointments that would have chagrined another man to death : such a temper is worth all that the most successful ambition could ever bestow.

My greatest enjoyment in Scotland has been in the society of Mr Stewart and Mr Playfair, who have been growing younger all the while that their pupils had been turning gray, and are in such good health, and such ardour of study, that the world will probably have the benefit of many years of their labour. It is a gratification which I enjoy more than I can describe, to be admitted to the confidence and unrestrained conversation of two such sages, who first imparted to me a true relish for literature. They have both many projects : Mr Stewart has already a great deal of manuscript quite ready for the press ; we shall have two volumes of his "Philosophy of the Mind" in the course of next year.* He is printing at present a memoir, which he read to the Royal Society of Edinburgh, upon the case of the blind and dumb boy upon whose eye an operation was performed by Wardrop : it cannot fail to be a most interesting dissertation, in the way in which he has treated the subject. My vanity will not let me conceal from you that he has contrived, from the accident of my having sent him an old book, to pay me a very partial compliment in a note to this memoir : it is not a little flattering, though I owe it to nothing but his good-nature, to have his friendship for me recorded in writings which will live as long as those of Cicero and Plato, and will go down to distant times with their works.†

* In a letter to Mr Thomson, seven years earlier, he had said of Stewart and his works—'I should like to have *all* his metaphysics, and I should like to have *all* his literature, and I should like to see him pay both these debts, that he might proceed forthwith to discharge his farther engagements in political economy. On all of these subjects his views are original and profound ; and their originality consists so much in the comprehensive form which they have assumed in his mode of conceiving them, that it can be preserved only in his expressions. His writing on literary and moral topics is the most popular in this part of the world, but Stewart ought not to write for this part of the world, or for this age of the world ; he is bound to feel more courage, possessing the art of writing as he does, which always makes such a conquest over time, to say nothing of that loftiness and sensibility which pervade his philosophy, and must insure its success for ever, if England has any pretensions to immortality. If I could have my own wishes gratified, I confess I should desire that he would make his view of mind, intellectually considered, as enlarged as he has ever considered it, including all his valuable suggestions for the improvement of logic in the various sciences, even though he should not have perseverance to mould these into a systematic shape ; and that then he would proceed immediately to political philosophy, in which I am confident he would produce a work that would excite great attention, and impress a lasting influence.'

† The passage in Mr Stewart's memoir here referred to is as follows :—'The work from which these quotations are taken is a very small volume entitled

We went to Kinneil, four of us in a landau (the same, I suspect, the bailies go in to the races), Murray, Thomson, Mr Playfair, and myself. The day being very bright and beautiful, we drove through Lord Roseberry's grounds, which are equal to any that I know anywhere for prospects and scenery. The Romillys came to Kinneil the same day; next morning all went away but Mr Playfair, with whom and Mr Stewart I passed an entire day. We went a mile beyond Falkirk, to see Mrs Dalzel.

You do not know Mr Wilson;* but it has been no small addition to the pleasure which my visit to Edinburgh has afforded me, to see him upon the whole so well, and so comfortably settled with his nieces, who are in the best style of Scotch girls. Lord Webb, too, arrived yesterday, and I have written this rambling scribbled letter in his room, waiting till the rain clears off.

The weather is painfully uncertain, for it depends upon the weather now whether Scotland is to suffer next winter the extremity of a dearth.

I am happy to say Leonard and our favourite Anne are quite well. They have got a drawing of Mary,† which they think not very like; but as I have a different opinion, they have given it to me; and with two or three sittings more, which I mean to have when we come to town, I shall have it quite like: and if it should be finished to our satisfaction, I have two projects about the disposal of it; one is, to have it in my study at Lincoln's Inn; the other, to indulge a grandmamma, if she has a fancy for putting it into her bedroom in Russell Square. But she must ask this as a great favour. Affectionately yours.

His return southwards is thus described in a letter to Mr Murray:—

‘CLIFTON, 4th October, 1812.

I had a very agreeable journey with Brougham as far as Preston: nothing could be more entertaining, or in better humour. Indeed, since our old days of careless fellowship, I have never known him in so good a tone of mind as through the whole of our late visit. After parting with him, I slept at Chorley, a dirty hole—Lancashire and manufactures: I strove to make it more endur-

“*Didascalocophus, or The Deaf and Dumb Man's Tutor*, printed at the Theater in Oxford, 1680.” As I had never happened to see the slightest reference made to it by any subsequent writer, I was altogether ignorant of its existence, when a copy of it, purchased upon a London stall, was a few years ago sent me by a friend, who, amidst a multiplicity of more pressing engagements and pursuits, has never lost sight of the philosophical studies of his early years.

The works of George Dalgarno, the author of the above treatise, were reprinted at Edinburgh in 1834 by the Maitland Club, at the expense of Lord Cockburn and Thomas Maitland, Esq.—L. H.

* Mr George Wilson. For an account of him, see *Memoirs of Sir Samuel Romilly*, I. 433.

† His niece, then a child, now the wife of Sir Charles Lyell.—L. H.

able by a vivid recollection of Dinwoodie Green. I was repaid for this the following night at Wolseley Bridge, a country inn of the right English sort: next morning brought me to Birmingham. All this journey I performed in a chaise by myself; but an indifferent sulky species of travelling, unless one has an interesting book, in which respect I had managed ill. I tried in vain at Manchester to get the new volume of Burke's works, for which I am thirsting, and again at Birmingham; and then becoming desperate, I cast myself into the mail coach, and after a whole night of star-gazing (for I never saw so fine a sky, or Sirius in such splendour), I came here this morning.*

LETTER TO THE REV. SYDNEY SMITH.

Bowood, 11th October, 1812.

MY DEAR SYDNEY—I received your letter at Taunton the other day, where I was attending the sessions. Your reproaches for what you call want of egotism I take very kind, and in return I use my first opportunity of leisure to tell you all about myself. It is very soon told, in those two respects on which you desire information: my health is considerably improved; and I am not to be in Parliament. I have been very careful and attentive about the former for several months, and am reaping the fruits of this in a more uniform course of comfortable easy health and good spirits than I knew all last year, though I cannot describe myself as having yet regained my former robustness, or the privileges of a freeman, for I am still under the slavery of medicine and regimen. As to Parliament, I have no seat, because Lord Carrington, to whom I owed my last, has to provide for a nephew who has come of age since the last election, as well as for his son-in-law, who, being abroad, loses his seat for Hull; and because I have not money or popularity of my own to obtain a seat in the more regular and desirable way. I need not own to you, for you would guess as much, that it is some mortification to me to be thrown out of the course, and that I indulge myself with regretting that I shall no longer have the opportunity of trying to be useful in the immediate concerns of the public. With the usual repentance that is felt at the close of any state of existence, I am something sorry, and something ashamed, that during the time I had such opportunity I did so little. As for the future, I am not inconsolable; my own resources for employment and amusement are quite enough.*

(UNFINISHED.)

* This unfinished letter had fallen accidentally among my brother's papers. I regret that I cannot give even one of the many letters he must have written to this intimate friend. I applied to Mr Smith several years ago to know if he had any in his possession, and he replied in nearly the same terms as the following, which he afterwards used on a similar occasion to Mr Robert Mackintosh:

LETTER TO LORD HOLLAND.

'LINCOLN'S INN, 19th October, 1812.

MY DEAR LORD—When I came home, I found a letter from Lord Lansdowne, in which he tells me of Lord Grenville's great kindness about me. He has written a second letter to Lord Lansdowne, in which he says he has reason to think that I may be returned very soon after the meeting of Parliament, in a way that will be agreeable to me. I need not say how much I am gratified by this unmerited service and attention to me from Lord Grenville; and I wish him to know that I am perfectly sensible of this. But I suppose it is not proper for me to say anything to him myself until the thing is over one way or the other, for either way I shall feel quite the same towards him. But I wish you to consider, in the first instance, claims that are far before mine. When the Bristol contest was over, I wrote to Romilly, under an idea that he might object to come in for a rotten borough, urging him, as strongly as I could, not to suffer a feeling of that nature to stand in the way of his duty to the public, if he should have such a seat offered him. I have heard from him this morning, and I am happy to find he is not disposed to decline it. He says, "I certainly have not made up my mind to refuse coming into Parliament in the way you mention; my opinion upon that subject is greatly altered, since it has become the only legal way in which to me Parliament can be accessible. There will be time enough, however, for me to consider what I should do if any offer were made me." It seems to me so very important on every public ground, and for the true interests of the Whig party, that Romilly should be brought in, that I thought it right to put you in possession of his sentiments. Yours most truly.

P. S.—If Lord Grenville's communication to Lord Lansdowne has any connection with what you hinted to me yesterday, pray let there be no doubt whatever left of my determination to vote for Parliamentary reform, or of the full extent of my democratical tendencies and opinions.'

EXTRACTS FROM LETTERS TO MR MURRAY.

'21st October, 1812.—It is a great public loss not to have Brougham in Parliament; it is rendered greater by his failing in an attempt, to which he had been encouraged by the popularity of his eminent services last summer; and what aggravates it as a public misfortune is, that Canning, the author of those

—'You ask me for some of your late father's letters; I am sorry to say I have none to send you. Upon principle, I keep no letters except those on business. I have not a single letter from him, nor from any human being, in my possession.'

—*Life of Sir James Mackintosh*, vol. II. p. 499.—L. H.

same Orders in Council, should be elected with such triumph upon the very spot where their ruinous consequences were most severely experienced. It seems clearly enough ascertained that the real cause of Brougham's failure is, the indiscretion of having joined Creevy with him, and attempted to carry both members upon the popular interest. It is a mistake which has been committed over and over again with the same fatal result. It is among the very sincere and zealous friends of liberty that you will find the most perfect specimens of wrong-headedness, men of a dissenting, provincial cast of virtue, who (according to one of Sharp's favourite phrases) will drive a wedge the broad end foremost, utter strangers to all prudence and moderation in political business, who are sensible enough, when they find themselves in defeat, that it is worse than partial success, but who, while the thing is in contest, imagine it would be a sort of treachery to their cause to accept in the first instance a whole half of the object they are contending for.

If Brougham is to be out of Parliament, which I hope and trust will not be the case, I am very far from being able to accede to your opinion, that this public loss will be counter-balanced by advantages to him in a private point of view, such as ought to take away all regret from his friends and himself. I cannot conceive any single private advantage he will gain by it of the least moment. Money, to be sure, he may make in abundance by Parliamentary business; for that loose, rambling sort of practice is richly paid; but no professional fame or science is to be gained in that department; and what are a few hundred acres more in Westmoreland worth to Brougham? Depend upon it he will not quit politics, even for the time he is out of Parliament; but will exert his boundless activity in another sphere, and in other directions, where his exertions will be probably less advantageous to his own reputation, and to the welfare of the public. I was made quite happy by your account of the manner in which he took leave of the contest when it became hopeless; and I lost no time in communicating your account of it to such of our friends in London as were sure to take a proper interest in what concerns him.

I have some news to give you about myself: as I have now reason to believe that very soon after the meeting of Parliament, when the double returns are disposed of, I shall have a seat in my power, which comes to me in a manner so perfectly satisfactory and agreeable to me, that I shall have no hesitation in accepting of it. I shall give you the particulars as soon as I am at liberty; in the meanwhile, I wish not to say that I have any such prospect, except to my nearest friends. I suppose you will regret all this, according to your former opinions; which I am far from thinking as erroneous as that in Brougham's case appears

to me; but which do seem to be mistaken upon the whole, though for quite other reasons. I am in much greater danger of losing all interest in party politics, than of carrying those feelings to excess; and have not the least doubt that I could return with undiminished enjoyment to all the pleasures and luxurious tranquillity of speculative literature. But my choice, if a wrong one, was made long ago; and I do not permit myself now to canvass the propriety of it, but should regard it as a misfortune to be thrown out of the course in which that choice, aided by circumstances and connections, had directed me.

If thrown out, I shall not find it hard to make up my mind to the change; but I would rather go on. A very slow, and a very quiet walk for a public life, is the only one for which I feel myself to be fit; though in such a one, with steadiness, I hope I may in process of time find some opportunities of rendering service to the country. One thing I feel more every day; that nothing but the alliance of politics, in the manner in which I take a share in them, would be sufficient to attach me to the pursuits of the legal profession, in which I have little prospect of eminence, and very moderate desires of wealth; but in which, by possessing the opportunities of legislative experiment, I do not despair one day of doing some good. The occasion has drawn from me too much egotism, which you must forgive.

8th December.—How deeply interesting is the Russian war now become! It seems hardly too sanguine to expect that the world is to be set free from bondage, and that the justice of fortune is at length to be made manifest, in the signal punishment of the conqueror who has so long harassed the earth and subjugated the fairest portion of it; *qui res humanas* (would we could say) *misceat olim*. We cannot wish for a more signal vengeance to the cause of the liberties of mankind than that he should fall, or at least lose his purple, in this unsuccessful aggression upon the independence of a great nation. It will be no small enhancement of this triumph if we are really to enjoy it, because it will strengthen that sense of security which is the best fruit of it, that the victory is due, not to the government of Russia, which would have long ago submitted, but to the body of the Moscovite people, nobles and peasantry. Surely there is nothing in history so delightful to read or witness, nothing so useful in its example, as the successful resistance of foreign invaders; whether it be by the patriotism of a civilised and free state, or by the instinct of barbarians and slaves; whether it be Greek or Dutch republicans whom we have to admire; whether it be the repulse of partitioning confederates by the enthusiastic Jacobinism of France, or the repulse of French genius, and military science in perfection, by the brute valour of Russians and Tartars. How vast will the events of our day appear to those who shall be at a sufficient

distance from them to see their real magnitude! Will not the march of the French host to Moscow be judged the very masterpiece of the military art in point of execution—an achievement that deserved no meaner disappointment than by the barbaric magnanimity which the people invaded have shown in burning the ancient capital of their empire! One can hardly think of such things and not use big words.’

On the 7th March 1813 he wrote thus to Hallam from Salisbury:—

‘I thank you for your very kind inquiries, which I can satisfy in the fullest manner, for all the symptoms of my late indisposition are now gone, except the unavoidable weakness which must continue for a few days still. I am taking special care of myself, keeping out of the way of these piercing winds, and not venturing to do more than sun myself under a south wall, like a selfish tortoise, at this season.

When we recollect the diffident language that we held about the Catholic cause before the debate came on, the advantages secured by the late vote seem immense.* We thought for certain that some ground had been lost since the resolution of the last Parliament, whereas it is now manifest that we were gaining ground all along, and that the progress of temperate conviction has been steady and unremitted. What an illustration of the benefits of continued discussion through Parliament and the press, where the great interests of justice and liberty are the subject of controversy; and what a pride it is for England to have such a controversy leading slowly but surely to the truth, and to one of the most signal ameliorations of government in favour of civil freedom during the terror and darkness in which the rest of the world is involved!’

* Upon a motion of Mr Grattan, ‘That this House will resolve itself into a committee of the whole House, to take into its most serious consideration the state of the laws affecting his majesty’s Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the power and strength of the United Kingdom, to the stability of the Protestant establishment, and to the general satisfaction and concord of all classes of his majesty’s subjects,’ the division was—

For Mr Grattan’s motion,	- - - - -	264
Against it,	- - - - -	224

Majority,	- - - - -	40
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L. H.

CHAPTER XL

AGE, 35-37.—1813-1814.

Second offer of a Seat in Parliament—Election for St Mawes—Canning and his Party—Government of India—Discussion on the Corn Laws—Horner's Views—Free Trade—Sketch of Sir George Rose—Advice to his Sister on a Plan of Reading—European Politics—Visit to Edinburgh—Dugald Stewart—Sitting of Parliament—Criminal Law Reform—Views on the Law as to Insolvent Debtors—Injustice done to Creditors—Abuses in Local Poor-Law Acts—Restoration of the Bourbons—Irish Coercion Act—Alien Act—Visit to Bentham at Ford Abbey—Project of a Tour on the Continent—His Tour—Paris—Dijon—Geneva—Chamouny—The Vallais—The Simplon—Milan—La Fayette—French Celebrities.

On the 16th of March, 1813, Mr Freemantle wrote to Horner, making offer of a seat in Parliament 'without stipulation or pledge of any sort or kind, saving that which of course you would feel it just to admit—namely, to resign whenever your politics should differ from the person who has the means of recommending you to the seat.'

To this offer he made the following answer:—

EXETER, 17th March, 1813.

DEAR FREEMANTLE—I have this evening received your letter dated yesterday, and at the same time the one which you had sent the day before to Lincoln's Inn. It is a very high gratification to me to have been supposed in any degree worthy of the proposal which you have had the kindness to convey to me, and nothing can be more perfectly satisfactory to my mind than the terms in which you have expressed it. I beg, therefore, you will be so good as to communicate my acceptance of this offer, by which I feel myself to be so much flattered and obliged. It will not be in my power to return to London for some time; but you will perhaps take the trouble of writing to me, when you can give me further information or directions.'

In accordance with this arrangement he became member for the burgh of St Mawes, for which he was returned on 17th April. From this period to the end of the session, on the 22d of July, he is reported to have spoken on five occasions, but only very briefly on each.

In a discussion on the affairs of India, on the 14th of June, Sir John Newport contended that the preamble of the bill then under the consideration of the House should declare that the sovereignty of the crown of the United Kingdom of Great Britain and Ireland

over the territory and population of India is paramount and undoubted. Horner took the same view of the question, and said, 'He considered such a declaration to be peculiarly necessary, as well from certain assertions which had been made by an honourable director of the East India Company in that House, as to a claim of property in India, independent of the crown, as from several publications which had gone forth, affecting to support the pretensions of the East India Company. But this declaration was also expedient with reference to the claims frequently advanced heretofore by foreign powers, which claims might be renewed on the return of peace.'

Next day Sir Henry Parnell, as chairman of a select committee on the corn trade of the United Kingdom, called the attention of the House to the report of the committee, which had been laid on the table. A series of resolutions had been laid before the House, of which the two most important were to this effect:—to allow the free exportation of corn from the United Kingdom, without duty, and without bounty; and to allow the importation of corn under a graduated scale of duties. Sir Henry Parnell moved 'that the House will immediately resolve itself into a committee of the whole House, to consider of the said report.'

Lord Archibald Hamilton moved, as an amendment, 'That the report be taken into consideration this day three months;' and the Chancellor of the Exchequer having spoken in favour of going into committee, Mr Horner said that 'he was astonished that the Chancellor of the Exchequer should lend his authority to a project like the present. It so happened, that though we had corn laws in our statute book, we had, in fact, no corn laws, and that there was the most perfect freedom in the trade of grain. Now what was the state of the country with respect to agricultural improvement? The fact was, that tillage had never increased so much, and that prices had never been before so regular. For this, if reference was necessary, he would refer to the report itself. With respect to the supply of grain from foreign countries, the evil was admitted to be, not in the supply itself, but in the danger to which it was exposed of being cut off. Now it so happened that at a time when it was the policy of an enemy to prevent our supply, and when political circumstances were the most favourable for such a measure, the amount of foreign grain imported into this country had been greater than ever. This report proved, that in spite of all the regulations of the enemy, whenever this country was in want of foreign grain, it could get it. There were several principles in the report with which he agreed: he had no hesitation in agreeing to exportation, and the abolition of a bounty. But the discussion of that night convinced him that these principles were merely thrown out by way of conciliation, and that the main object of the measure was to prevent importation from

foreign countries, except when prices should rise to the enormous sums stated in the report. At present, he contended, the price of corn was high beyond example, and was such as to afford a fair profit both to landlord and tenant. Supposing the measure of his honourable friend, the worthy baronet (Sir Henry Parnell), to be adopted, then would the increase in the price of grain go on, depending not on the value, but on the depreciation of the commodity. The poor lists of the different parishes in the country, he contended, were loaded with persons perfectly able to exist by their labour, were it not for the high artificial price of commodities. It was only by those artificial prices that the poor were prevented from living without being burdensome on the community.

The amendment was lost, 32 only voting for it, and 136 against it.

EXTRACT FROM A LETTER TO LORD GRENVILLE.

22d July, 1813.

A singular political event, and one not very intelligible, was announced last night—that Canning has formally, and with some solemnity, disbanded his party; telling the gentlemen who have been his supporters during the session that they may for the future consider themselves as unengaged; and that he is no longer to be regarded as their head. Ward says they are all turned adrift upon the wide world, but as he has stayed a year in his place, he thinks himself entitled to a good character from his master. He had his discharge from the mouth of Canning himself the day before yesterday; and the same notification was made to Mr Robert Smith yesterday. The only other circumstance I have yet heard connected with this strange incident is, that Wellesley Pole has been complaining very much that Canning did not bring matters to bear with the ministry, and that he is now considered, both by the marquis his brother, and by Canning, as perfectly free to do what he can in that way for himself. Whether this is a deep measure, or the sudden effect of some ill-humour, and whether Canning, in reducing his establishment thus abruptly, points towards government or Opposition, I have heard nothing yet that enables me to guess. But very erroneous ideas these men must have of party connection, or indeed of political morality, who consider, their Parliamentary associations as held together, and as dissoluble, without any reference to opinions.

In a letter to his younger sister, dated Sarum, 2d August, we have an account from Horner of the domestic retirement of a countryman of his own, who had in his day of activity occupied a somewhat conspicuous position:—



'I made a pleasant excursion to the sea-coast from Winchester on Saturday. I set out early enough to arrive to breakfast at Cuffnell's, old George Rose's, where I had appointed to meet his son William. Old George has got a very comfortable and pretty place, and was all over civility and sincerity: he has built a large room for Lord Marchmont's library, and there are a few original portraits that were left him likewise, the best of which is Richardson's of Pope, the same that is spoken of somewhere by Sterne: there is a daub of Lord Bolingbroke, and another of Sir William Windham, but apparently good likenesses: the former I knew at once, from the bust I have seen at Lord Egremont's, and the latter is like all the family of the Grenvilles. I went with William Rose in a gig to his house at Muddiford, near Christ-church, and passed a very agreeable day: he has much literary conversation of all kinds: he had a great deal to tell of his travels last year, which he undertook for the recovery of his health, in the course of which he saw Sicily, Constantinople, and the plain of Troy. At Muddiford he has built a fanciful house, close to the beach; and except that he has made a library with a Grecian façade, it is not very different in appearance from the habitation of Robinson Crusoe.'

In a letter to Miss Horner of the 9th September, there is the following instructive passage:—

'I am glad to hear you are reading regularly—I should like much to know more particularly what your schemes are in that way. Besides the usual chances of new books and periodical publications that must be read as they are passing, in order that you may be up with other people in conversation, and indeed to profit most by conversation which derives excellent topics from these materials, I strongly advise you to have some settled plan of your own for the winter, in which a little may be done every day, by which a great deal will be found done at the end of the campaign, some one subject to be mastered thoroughly, by reading the best of all that relates to it, and keep it a secret to yourself, and Nancy, and me; for talking spoils all such undertakings, and cuts them short. If you take one, and Nancy another, there will be information upon both, for both of you, when you want it; and for me too, when we all live together again; and one little scheme of that sort, fairly and well executed in the course of the year, will, at the end of two or three years, leave you in possession of more than you can dream of at present. While it is going on, nothing is so satisfactory as to have that regular occupation to lean upon as a resource for a portion of every day. I seem to have written you a monstrous wise letter in the latter part of it; for fear of getting too deep into the prosing line, it is high time I should stop.'

The following paragraphs on the European politics of the juno-

ture are respectively taken from letters to Mr Murray and Mr Allen:—

‘What a singular fate is Moreau’s! The loss of his advice to the allies an incalculable injury. His military fame will probably be heightened with posterity by the last passage of his life, not only for the confidence which Europe felt in his name, but for the greatness of that design with which he opened the campaign. His moral reputation is, according to my sentiments of such conduct, stained with guilt, by taking arms against his country; though there are casuists, and I know some rigid ones, who deny there is any indefeasible allegiance, and hold him to have been absolved by banishment. I cannot, however, see it in that light; and his joining the allies, like a Swiss, or a Condottiere, whether excited by hatred of Bonaparte or by love of arms, strikes me as one of the many instances which the French Revolution affords, though on occasions mostly of a different sort, of that deficiency of moral principle without which no historical greatness is to be attained.

I cannot hesitate now in believing that the determination of the French military force, and the insurrection of national spirit in the north of Germany, form a new conjuncture, in which the Whigs ought to adopt the war system, upon the very same principle which prompted them to stigmatise it as unjust in 1793, and as premature in 1803. The crisis of Spanish politics in May 1808 seemed to me the first turn of things in a contrary direction; and I have never ceased to lament that our party took a course so inconsistent with the true Whig principles of continental policy, so revolting to the popular feelings of the country, and to every true feeling for the liberties and independence of mankind. To own that error now is a greater effort of magnanimity than can be asked for; but the practical effects of it will gradually be repaired, if a right line of conduct is taken with respect to German affairs.’

In October he paid a visit to Edinburgh, where his father had again taken up his residence. Thence, on the 26th, he wrote to Lord Webb Seymour:—

‘It was a very pleasing sequel to the period we had spent together to have a couple of days at Minto, to communicate my impressions to Lady Anna Maria, and compare them with her judgments of her friends, which are so discriminating, and yet so affectionate. Your guess was correct by halves as to my occupations at Minto: the state of Europe I discussed with William Elliot, and found we entirely coincided in our view of the new conjuncture which marks the present year, as well as of the con-

* Of 29th September, and 25th October.

duct which ought to be pursued in Parliament with regard to it. My notions I had imperfectly communicated to you before: it was delightful to me to have them cleared, and raised, and confirmed by Elliot's sagacious and comprehensive ideas.*

I spent the best part of two days at Kinneil last week; my two sisters, Playfair, Murray, and Thomson, formed the party. You will understand that I was highly gratified; with nothing more, however, than to see them both so well, particularly Mr Stewart, whose robust and tranquillised health makes me hope to see him live to the age of Plato, and continue writing to the last. I had 472 printed pages of his new volume† in my hands, ran through a considerable portion of it cursorily, and read one or two chapters with ease; particularly one, in which he has placed the doctrine of the Nominalists, with regard to general ideas, in so striking and clear a light, that no Conceptualist, I think, will any longer surmise that there is any shadow of a general idea. He has been remarkably fortunate in illustrating the use of signs in reasoning, by tracing the history of a student's mind as he learns the first book of elementary geometry. We shall hear, however, what Dr Thomas Brown has yet to say for the Conceptualists; Playfair, I was surprised to find, leans to the same heresy. It seems probable that Stewart's remarks upon the writings of Aristotle, and upon the use which has been made of them in modern times, will excite a little commotion, and do a little good at Oxford. They will still make some fight for Dr Aldrich; but he is fast on his way to the catacombs. If the Stagirite himself could be *provoked* to hear such things, he would, I make little doubt, be far more proud of Stewart's estimate of his merits, and of the ground on which *he* rests his fame, than of all the devotion of all the doctors in convocation.‡

Parliament met on the 4th of November, and sat till the 20th of December, when an adjournment took place to the 1st of March; and on that day, in consequence of a message from the prince regent, there was a farther adjournment to the 21st of March.

From the commencement of this session, Horner took a more

* The Right Hon. William Elliot, M.P., a relative of the Earl of Minto. He was the intimate friend of Mr Burke, Mr Windham, and Dr Lawrence, and was much beloved and respected by all who knew him. When the Duke of Bedford was lord-lieutenant of Ireland in 1806, Mr Elliot was chief secretary.—L. H.

† The second volume of the *Elements of the Philosophy of the Human Mind*.

‡ In a letter to Mr Murray of 25th February, 1814, he says in reference to Stewart's book—'In the present low state of literature, while anything is the mode but studies of a high aim, this volume may possibly draw less admiration than his former writings, where he had more occasions to illuminate his metaphysical reasonings, for popular effect, by applications of moral and critical reflections; but it cannot fail to give greater solidity to his philosophical reputation.'

active part in the business before the House. He is reported as having spoken frequently, and his speeches are given at greater length in the reports of the debates.

Government brought in a bill on the 29th of November 'for continuing an act for the inflicting the punishment of death on all persons convicted of maliciously breaking lace and stocking-frames, or cutting any lace or stockings in such frames.' Mr Horner strenuously opposed this measure in several stages of the bill: he contended—

'That there was no plea of necessity for the continuance of so cruel a law. There might be circumstances which would render that an offence at one time which would be quite innocent at another; as, for instance, an act had once existed against drinking healths, because that was a badge of hostility to the crown—the sign of a disloyal conspiracy. The cutting of stockings or lace might, two years back, be deemed a capital offence, because such was the conduct of a dangerous combination; and yet such cutting might be consistently met at this day by a much less severe punishment, because the combination had ceased to exist. He could see no reason for retaining the capital punishment in the act under consideration: in point of fact this act had never been enforced, either at the commission or elsewhere, the delinquencies which the act professed to have in view being all met by the old-established laws of the land. By that law he wished the country to be governed, and it was quite disarranged by such statutes as that under discussion. Such statutes, indeed, as were too severe in comparison with the offence against which they professed to provide, only served to put the ingenuity of the judges in action, in order to evade them.'

The attorney-general (Sir William Garrow) having said, in an after-stage of the bill, on the 6th of December, that the diminution of the punishment would be at the discretion of the judge, Mr Horner observed upon this—'That the House knew but too well the practice that had prevailed on this subject. The recent discussions on the proposed repeal of some of the old statutes had put them in possession of it. In the times when those statutes were passed, a more extended discretion might be necessary; but was it to be endured, when passing a new penal law, that Parliament should be told, "Make the punishment as severe as you can; the judges will take care that it shall seldom be inflicted!" He had always thought that it was the peculiar praise of the British law, possessing, as we did, judges of great wisdom and unimpeached integrity, that, nevertheless, their discretion, in cases of a criminal nature, should be narrowed as much as possible. In the best works on jurisprudence, it had always been laid down as a principle, that although the quantum of punishment might sometimes be left to the discretion of the

judges, the description of it should always be regulated by the law.'

A bill to amend the law relating to insolvent debtors, particularly as to the discharge of them when in prison, was read a third time on the 7th of December. Mr Sergeant Best * proposed the introduction of a clause to extend the benefits of the bill to debtors not in prison; or, not going to prison, who were insolvent, and could satisfactorily prove that their insolvency was the result, not of criminal extravagance, but of inevitable misfortune.

Mr Horner resisted this proposal. He considered that the question whether insolvency had been occasioned by culpable or innocent conduct, was an unfit question for a judicial tribunal. 'They must examine the whole history and circumstances of a man's life, from his commencement in business until the period at which his affairs might be brought before them! They must inquire into all his connections—they must ascertain all his resources—they must investigate all his modes of expenditure—they must trace him through all the ramifications of his manners, and habits, and occupations. * * * In his opinion it was much better to leave the determination on this subject with those individuals with whom an insolvent person had now to deal (his creditors), than to submit it to any tribunal whatever, moral or judicial. Those individuals had the best opportunities of knowing, from their acquaintance with the debtor, whether or not his conduct had been culpable or otherwise.' The clause was negatived without a division.

On the 13th of December Horner proposed to the House to adopt certain resolutions which might prevent the introduction of any clause or clauses into local bills for the relief of the poor contrary to, and inconsistent with, the established law of the land. He stated 'that the objectionable clauses in question easily found their way into local poor bills, because they, being of the nature of private bills, did not receive that attention from the House which would be likely to prevent the introduction of them. It appeared from the report of the committee that these clauses were of a twofold description. The one sort went to alter the law of the land in the mode of assessments, rating, &c. which ought never to be permitted, unless a strong exception could be made out in the case of particular districts, where the adoption of the ordinary methods would be inadequate. The other sort of clauses altered the law of settlement in certain parishes, and (to the shame of the legislature be it spoken) gave the power of inflicting corporal punishment on the poor to persons quite unfit for such an authority. It was his decided opinion, that upon no pretence whatever ought such clauses as these last to receive the

* The late Lord Wynford.

sanction of that House; and it was to these in particular that he now meant his intended remedy to apply. Some regulation, indeed, ought to be adopted with respect to the others, relating to the mode of assessment, rating, &c.; but a remedy for that would perhaps grow more naturally out of the discussion on the bill of his learned friend Mr Sergeant Onslow. He should therefore move that it be a standing order of the House, for the present session, that no bill should be introduced containing any clause or clauses relating to the settlement of the poor, or the corporal punishment of them, contrary to the law of the land.'

The chancellor of the Exchequer expressed his entire concurrence in the sentiments of Mr Horner, and his satisfaction at the manner in which he had introduced his resolutions: they were also approved of by Mr Sergeant Onslow, Sir Samuel Romilly and others, and were passed unanimously.

The only remark that occurs in the course of his correspondence on the remarkable juncture of European affairs witnessed by the commencement of the year 1814, is this solitary passage in a letter to Mr Murray of 25th February:—

'I cannot pretend to give you any news, for I see nobody that knows more than the newspapers give us. The state of public opinion is an amusing subject of observation at the present moment: I never knew it more violent, or more nearly unanimous, though I find myself, by the compulsion of all the reflections that I have been able to make upon this great crisis, in the small minority of those who dread the consequences of the restoration of the Bourbons, or the conquest of France. Some of the wisest men, I know, are praying for, and even expecting, the restitution of the church lands. The anxiety of this suspense is quite painful; it cannot last much longer.'

Parliament reassembled, pursuant to the adjournments, on the 21st of March, but Mr Horner's name does not appear in any of the debates until the 2d of May: during the greater part of the interval he was on the circuit. From that time to the close of the session on the 30th of July, he spoke on several occasions: the most important of these were, when the corn laws were under consideration on the 13th and 16th of May, and a motion which he himself made, on the 28th of June, for the production of papers to show how far ministers, in the late negotiations for peace, had exerted their influence to promote the abolition of the African slave-trade on the part of France. His speeches on these occasions are reported at length.

A bill had been introduced by government on the 8th of July 'to provide for the preserving and restoring of peace in such parts of Ireland as may at any time be disturbed by seditious persons, or by persons entering into any unlawful combinations or conspiracies;' and on the motion for the second reading of

the bill, on the 13th of July, Mr Horner opposed it 'as an unconstitutional measure, and brought forward, towards the close of the session, when most of the members for Ireland were absent, without any statement that it was called for by any sudden emergency, or any new or extraordinary occurrence in Ireland;' and as tending 'rather to exasperate the people, and considerably exaggerate the mischief it proposed to remedy, than to produce any salutary consequences.'

The following night Mr Hiley Addington, under-secretary of state for the Home Department, moved the second reading of a bill for the repeal of the existing alien act, and to substitute another. 'He described it as being nothing more than a renewal of the act of 1802; that it did not give greater power to ministers than they were intrusted with by that act: whether these powers were originally too great, it was for the House to decide; for his own part, considering all circumstances, he had never been of opinion that that act went too far.' Horner opposed the measure, as not justified by necessity. He said—

'It was not enough to urge, in support of any measure, that it was a transcript of some former act of Parliament. There had been many suspensions of the Habeas Corpus Act, each of which was the transcript of some other; but such a measure would at any time be very ill received without some statement of the necessity of taking from his majesty's subjects their constitutional protection. The bill before the House was a measure analogous to the suspension of the Habeas Corpus, for it took from the aliens, in amity with his majesty, that protection which it was the boast of our constitution to afford them.'

In a letter written from Bodwin, on the 8th August, to his sister Miss Anne Horner, we have the following distinct sketch of Bentham and his way of life at Ford Abbey:—

'The only excursions I have made this circuit for sights have been in Devonshire; and two of them very pleasant—one to see an old Gothic house, the other a new one. I have always heard of Ford Abbey since I first knew Devonshire as an antiquity worth going to see; and who should have become the occupier of it but Mr Jeremy Bentham, who has taken a lease of the place for seven years. He asked me to come and see him, and to bring Adam with me: we spent two days with him. It is upon the side of the little river Axe, about eight miles above Axminster. For three or four miles round the roads are so bad, that the place is almost inaccessible, and lies secluded in very green meadows. The house was once a Cistercian monastery, but in the reign of Charles I. it came into the possession of a family of Prideauxs, who were opulent enough to employ Inigo Jones to give the exterior of it an entirely new form, in which he has mixed battlements and Roman arches with the oriel windows of

the older style. The architecture, therefore, is not very curious for its age, though the front is very showy. Within the house there are some remains of its original state—a fine hall or refectory, and two sets of cloisters, one of them almost dark, with the cells on one side which the monks inhabited, resembling very much a ward in a modern madhouse.

There are some handsome rooms furnished in the taste of King William's time; one of these very spacious, and hung with tapestry, Mr Bentham has converted into what he calls his "scribbling shop:" two or three tables are set out, covered with white napkins, on which are placed two or three music desks with manuscripts, his technical memory, I believe, and all the other apparatus of the exhaustive method. I was present at the mysteries, for he went on as if we had not been with him. A long walk after our breakfast, and before his, began the day. He came into the house about one o'clock, the tea-things being by that time set by his writing-table, and he proceeded very deliberately to sip his tea, while a young man, a sort of pupil and amanuensis, read the newspapers to him paragraph by paragraph. This, and the tea together, seemed gradually to prepare his mind for working, in which he engaged by degrees, and became at last quite absorbed in what was before him, till about five o'clock, when he met us at dinner. He permitted me to sit in the same room, for the purpose of looking over some old volumes which he had found in the house; but I was much more attentive to his own proceedings: this is his daily course throughout the year. Adam, who had never seen him before, was delighted with the suavity and cheerfulness of his manner. Besides the young man I have mentioned, Mr Cohen, he has living with him Mr Mill* (a gentleman who writes a good deal in the *Edinburgh Review*) and his whole family.

The other house we have been to see is a contrast of modern luxuries and elegance to the bare grandeur of Ford Abbey; it is called a cottage, built by the Duke of Bedford, but a cottage which has cost thirty thousand pounds in the building. It is in a fine highland situation, upon the banks of the Tamar, between Tavistock and Launceston, and is called Endsleigh; that fine river, which has not half the reputation it deserves, winding before it for two miles, among steep slopes covered with oak coppices. I do not much admire the building, though there are beautiful parts: it wants character and effect: it is in that mixed manner, half cottage, half manor house, which our modern tradesmen in the picturesque have put together, and which has no style. Jeffrey Wyatt and Repton have had full scope at Endsleigh, and are there now: Mr Adam came down to meet them, and invited William

* The late James Mill, Esq., author of the *History of British India*.—L. E.

and me to take it in our way from Exeter. We spent all yesterday there.'

During the interval of peace, we find Horner and the Murrays planning a rapid tour through France and Switzerland. On the 26th of June Horner says:—

'Suppose, instead of the Garonne or the Loire, we were to make the addition on the eastern side. We might either proceed from Geneva over the Great St Bernard to Turin, then to Nice, and from that to Marseilles, a most beautiful line of journey, and so up the Rhone to Lyons. Or we might go at once from Paris to Lyons, down to Marseilles, then to Nice, Turin, and Geneva; and then, if we found any time left, we might still make a round by the Chartreuse to Lyons again. If we go first to Marseilles, and then by Nice and Turin to the Lake of Geneva, we should have the advantage of going down the Rhone, and of having the Alps in a long view before us as we go north. If we should take this route in the contrary direction, we should perhaps have a chance of finding the Hollands settled in a house at Geneva, and of making a party with Allen and Charles Fox * to Mont Blanc. Lady Holland tells me that the tour by Turin, Nice, and the Rhone, may certainly be executed in six weeks from and back to Dieppe.'

Again on 16th July:—'I quite agree with you in wishing to pay a short visit to Paris at the commencement of our tour, for the sake of seeing the half-dozen pictures and statues which all the world talks of; it will be very agreeable to see them again upon our return, after we have talked of them and reflected upon our first impressions. This part of the gallery and the theatre are all that I feel anything like impatience to see at Paris. I am much inclined to see a little of their courts of justice where we find them open, and indeed for seeing as much of everything as our time will admit of.

As to the particular route we are to adopt I have no preference, provided we contrive to see the coast of the Mediterranean, for which I have a longing. I do not know any subject on which I would not take Seymour's advice, except the article of speed. He always forgets the brevity of human life, and the necessary imperfection of all human performances. At his rate of examining a country, we should have some chance of reaching Paris by the end of three or four long vacations diligently employed. Did you suppose I wished to ascend Mont Blanc? In that case I do not wonder Seymour laughed aloud. I have no ambition for that sort of philosophical experiment upon my own person, and should as soon think of going up in a balloon, or of baking myself in an oven with Dr Blagden. What I proposed was a view of Mont Blanc

* New Major-General Fox: in Lord Melbourne's administration he was Surveyor-General of the Ordnance.

ribaldry. The theatres are small and comfortable; one hears even in the high boxes distinctly; the articulation of the actors is distinct, and, in comic dialogue, delightfully spirited and smooth. As to the Louvre, I cannot attempt a description of it: the magnitude and riches of the gallery quite confounded and overwhelmed me with astonishment; my impression is, that I liked the statues better than the pictures: of the statues I liked the "Apollo" most, and of the pictures, the portraits painted by Raphael and the Parma Correggio. "The Transfiguration," "The Descent from the Cross," and Dominichino's "St Jerome," rather seemed to me something admirable, from which I should derive delight if I studied them, than conveyed to me an immediate emotion of pleasure or elevation.

Paris surpasses London infinitely in the number and magnificence of the public buildings. * * * Napoleon's hand is visible everywhere; not so much in the ornaments, which, with rather a childish vanity, he has crowded upon works that had been erected by his predecessors, as in the numerous buildings of every description which will remain as long as Paris itself.

GENEVA, 8th September, 1814.

We left Paris on the afternoon of the 31st ultimo, having hired a large open barouche with a seat for the servant: this is drawn by three horses; and in such fine weather as we had the whole of the journey, is a very commodious and pleasant carriage. * * *

The second night of our journey from Fontainebleau we meant to sleep at a small country inn called Lucy le Bois, and arrived there about midnight (for the delightful moonlight induced us to travel so late); but we found the whole in possession of Lord Bute, who was crossing France by the same road with a suite of nineteen persons. We went on to the next stage, Avallon, and found the chief inn there tenanted in the same manner by Lord Holland's travelling party, which is not much less. Besides this, the town was crowded with natives from all the country, on account of a *distribution des prix* that had taken place that very day, and was followed by a ball. We were at last admitted, after much grumbling, into a house where we were promised something to eat, but nothing to sleep on; which we thought no bad compromise. The landlord in the course of a few minutes cooked us a very good supper of several dishes, swearing loud all the while; but by the time we had found out from his wife that their son had got Rollin's "Belles Lettres" as a premium, and in addition to the flattery this gave us a handle for, had ordered his best champagne, he got into perfect good-humour, owned he was *un peu vif*, and bustled about till he provided us with beds. All this cookery and bustle was performed *en déshabille*, for he had nothing on above the girdle but his shirt, with the neck

open. I found him, however, by seven o'clock with his hair dressed, and all his stoves and saucepans in full activity. * * *

At Dijon we perceived that we had got among an entirely different race from any we had yet seen: the number of beautiful women walking about quite surprised us: it was Sunday, and they were *endimanchées*; but their regular features, dark complexion and hair, and fine eyes, had a uniform and marked character. At Auxonne we saw more works of the hostilities of last spring than at any other place in our route; but there, as everywhere else that we saw, everything was repaired or repairing. It was on the way to Auxonne that we first observed plantations of maize, or *turquie*, as they call it in the country: it is very showy; and we had little else but maize, hemp, and vines all the way to the foot of Mount Jura.

BRIEN, 15th September.

We crossed the Jura, ascending the first ridge of that great mountain at Poligny in Franche Comté, and coming down to Nyon upon the side of the Lake of Geneva. The pleasing impressions that we received from the scenery of that mountain district are almost effaced by the greater scenes in which we have been living for the last four days. It was, however, a very interesting journey; and except in the Alps, I have not seen anything more romantic than the cliffs of Poligny—the deep dells between Champagnole and Maison Neuve, where we first met with mountain pines, and after passing the last of these places, a quiet green vale on the banks of the river Ain. * * *

I saw a good deal of Mr Dumont, who has been in a peck of troubles about the blunders his fellow-citizens have committed in making their new constitution. We were introduced to Professor Pictet, who was obliging enough to invite us to the sitting of a Society of Natural History, where the philosophers ate amply of peach-tart in huge slices; and to Professor Prevost, whose amiable simplicity of manners and apparent benevolence of character prepossessed me greatly; I was sorry not to see more of him, and not to see Madame Prevost at all. Unluckily Dr Marcet's letter, which he was so very kind as to send me for the purpose of introducing me, did not come to my hands till the night before I was to leave Geneva: I had been introduced to Mr Prevost by a letter from Mr Stewart. My last morning was spent in making a visit at Coppet, where I found Sir James Mackintosh, and was glad also to see M. Sismondi, the historian of the Italian republics.

Last Sunday morning I set out for Chamouny with William Murray in a *char-à-banc*, his brother preferring to keep to the warm shores of the lake, it being arranged that we should meet at Martigny. We made a day's journey in the *char-à-banc* as

far as St Martin, opposite to Sallenche. At Cluses, whose site (at the mouth of a deep winding ravine, in which the Arve flows) must have suggested its name to the Romans, we seemed to enter into the heart of the Alps, by a road between steep walls of rock, immensely high, and richly clothed with pines. This continued, with considerable variety in the details, as far as St Martin, where we slept, and were provided with another *char-à-banc* and a guide for Chamouny. In going there, what pleased me perhaps most of all was the hillside, upon which the church of Passy and a few cottages discover themselves among innumerable orchards and vineyards, which bury out of sight a considerable village. The cottages, that appeared through the orchards, were like so many Grecian temples of the early simple form; for the fashion of the houses is almost the original frame of Grecian architecture. When you perceive nothing but the gable end, the angle and uprights of which are in that part of the Alps very exact and neat, as it breaks out among walnut-trees, with perhaps a silver or spruce fir here and there among them, it has a very classical appearance. Next to Passy I must mention *Les Montets*, the narrow pass into the valley of Chamouny, which is magnificent and sublime beyond any description that I can give: the depth of the ravine, the dark colour of the rock opposite to that in which the road is cut, and the blazing snows of Mont Blanc, are the principal features. In this defile we met Mr Rogers the poet and his sister returning from Chamouny.

In the valley of Chamouny I admired much the grandeur of the cliffs, and the beautiful cultivation of the bottom, watered by the Arve, and covered with the neatest cottages of the same form which I have described. Except Mont Blanc itself, I rather think all the heights would be more agreeable to look at if they were without snow; and the glaciers are very ugly, though a curious phenomenon of nature, and surprisingly contrasted with the trees that mount above them, and with the corn-fields, which they approach within a few yards. We saw reapers at work as near as that to the Glacier des Boissons, which is the one that comes lowest into the valley. It was the time of oat harvest, which is the principal grain they raise; and a very novel and altogether very pleasing scene it was to see the close of the evening in this lovely valley, where so many people were busy in cutting and binding the oats amidst the tinkling of a hundred cow-bells, while the sun was only seen by its strong reflection from the snow above, the summits of which were for a few minutes tinged with a faint red.

On Tuesday morning we set out on mules to cross the Col de Balme, the high mountain which separates Savoy from Le Vallais; our guide was mounted in the same manner, and carried our bag of provisions for the day. The ascent is not very steep, and took

us no more than four hours: we followed the Arve up to its source. In our way we were fortunate enough to witness an avalanche, far enough off to be seen without danger. As we were passing under the Glacier du Tour, a noise like the burst of thunder made us look up; and half way up this glacier there was a cloud of snow, like the smoke rolling from a battery of cannon: a piece of ice had burst and given way, and left one side of a great rock bare.

On the Col de Balme we had a full view of the summit of Mont Blanc: its dome, likewise covered with snow; all its peaks, or *aiguilles*, as they are called from their form, which does not suffer the snow to lie on them but partially, and its glaciers shooting down into the valley. Our descent to the valley of Trient was very steep, through a forest of old larch-trees and pines—the Bois de Magnan, I think: so steep, that it could not even be ascended except on foot; we had of course to drive our mules before us. As we were coming down, we met a *bergère*, with half-a-dozen cows; she inquired of our guide what was the state of the pasture on the mountain, and how low the snow was already, for she was going to the *chalet*, if she had a chance of finding pasture: she gave the cows every now and then a little salt, which made them mount the hill with great avidity. We crossed the sequestered valley of Trient, and sloped along a height above it, which brought us to the steep pass called La Forclá, which was still shaded with pines, but with a fine verdure between the opposite banks. Half way down La Forclá we came to a superb view of the Vallais, from the bourg of Martigny, which seemed under our feet (though we were more than an hour from it), to the white walls of Sion: it was the prospect of a dead level, almost covered with wood, which we afterwards found to be fruit-trees, with the Rhone winding from one end to the other, and the Dranse from St Bernard passing to meet it between Martigny and an old castle upon a rocky point. From the spot where we commanded this prospect, the pass changes its name for that of Les Rapes: we lost sight of the Alpine pines, and got once more among walnut-trees and vines; and as we descended lower, we rode through avenues of the finest chestnut-trees and patches of Indian corn. The change, this contrast, the beauty and profusion of all the luxuriant vegetation, the deep blue of the sky, and detail of laborious industry upon the uplands of the craggy Alps, the numberless little towns that we could count along the roots of mountains, and the snowy ridge that was perpetually in front, and seemed to bind all as with a crown, made this one of the most delightful hours I ever enjoyed from scenery. I should be well pleased to be able to give you a good account of the country we travelled over, and saw in our way from Martigny to the place at which I shall date this letter. It is not more interesting by picturesque

character than by its air of great antiquity, and by the primitive customs and manners of the inhabitants. I am convinced that it would be worth while to any person who can speak German familiarly, to give a few weeks to examine all this valley minutely, by going up into the villages upon the mountains, and seeing the usages and genius of those who have never seen the face of strangers. In the midst of the industry, simplicity, and plenty which reigns in the Lower Vallais, it is melancholy to see so large a proportion of the inhabitants, particularly the children, pallid and unhealthy; in travelling through the country, the children usually delight one with their looks: here I have not seen one beauty; most of them are loathsome. The air of the plain is bad, I have no doubt, great part of the year; and I daresay they have not been taught all they have to learn on the subject of diet.

MILAN, 19th September.

We left Brieg early in the morning, and in fourteen hours reached Domo d'Ossola by a road over one of the great heights of the Alps, but so well conducted, that in the ascent there is scarcely a single pull that would bring one of our postchaises to a halt; and the descent is a good trot all the way. It is made so smooth, and is so handsomely finished, as to look more like the approach to a gentleman's house than a tract over a mountain district to connect distant nations. An appendage of this noble design, which is but half finished, is a triumphal arch of white marble, erected where the road enters Milan: we passed this as we came into the town, and have been again to see it. On our way from the Simplon there was lying by the roadside a pillar of white marble, in one piece, more than thirty-two feet long, wrought, but not polished, which was one of eight of the same size that had been cut in an adjacent quarry, and were to be carried down to Milan for this arch. The work is at present suspended. The successors of him who designed it could not do better than to inscribe upon it, that it was commenced by Napoleon, and finished by them, whoever they may be; but there would be a sort of magnanimity in that mode of proclaiming their own glory, of which perhaps they will not be found capable. Already, since the destruction of the French power, this past summer has broke down some of the side walls and railings which as yet only spoil in a few places the neatness and finish of the road; but one little bridge carried away by an avalanche, and left unrepaired, would make it wholly unpassable. The line traced upon the mountains will remain for ever one of the most lasting, it is to be hoped, of the many impressions which this marvellous adventurer has made upon the surface of Europe. It is more like a work of the old Romans than anything that has been executed in our days. The magnitude of this effort of human art

almost prevented us from enjoying the grandeur of the natural scenery through which it passes. In mounting from Brieg, the road winds in view of the country which I have described round that town, and gains in the ascent more and more extensive prospects of the Vallais, the Rhone flowing through it, and the lofty crags and glaciers which bound it upon the north. From this you will readily imagine, better indeed than with my unpicturesque eyes I could even see, what scenes were continually presented to us, and continually shifting, as we mounted the sides of the great ridge, and in the winding course of our road were conducted sometimes to a projecting precipice, which laid the whole open, and sometimes had narrow landscapes as we looked outwards from the close and deep defiles. This way of describing it seems like sameness; but there was much variety. Our progress through the different regions of vegetation, in the course of the day, was to me one of the newest impressions that I felt: we left maize, and vines, and walnut-trees; passed through forests of pine and larch, which were less vigorous as we approached the summits. Near the Hospice nothing is to be seen but stunted rhododendrons; in descending, the order is just reversed, but is more delightful; it was like going from spring into summer all in one day, and to a brighter summer and richer vegetation than we had ever seen before. The gradual approach to the luxuriance of Italy is for several miles through a deep, dark chasm, not much wider than the torrent which has cut it; and by the side of which the road descends, the cliffs on both sides being of great height and very savage. After a few miles of this narrow defile, we came to a very handsome one of two lofty arches, which terminate the Simplon road, at the extremity of the glen, which leads to the town of Domo d'Ossola, situated near the end of a flat alluvial plain, about a league wide and six long, on all sides of which are lofty Alps, some of them topped with snow. We were now in Italy: according to the old and present political geography, in Piedmont, which goes to the Ticino: according to Napoleon's geography, in the kingdom of Italy; but by the language, and the houses painted in fresco, and the thick brilliant vegetation, and the market-place covered with large baskets of macaroni, in Italy. Our drive next morning to the lake was through a country of quite a new aspect, owing chiefly to the elegant forms of all the commonest houses; an elegance not consisting in trimness, like our cottages in old England, for these are generally in a rubbish of dirt and dilapidation when you come very near them, but derived from the outline and frame of the architecture: so much of the house is appropriated and contrived for the enjoyment of shade in the open air, that half-a-dozen poor ruinous habitations present a mass of galleries, corridors, and arcades, above one another, the light coming through in many

places, and the tall creeping vines connecting these pieces together, and with their own trelliswork; the chimney is of so handsome a shape, that it seems a studied ornament of the building, and the deep projection of the roof gives a breadth of shadow that seems to finish the whole. It was at Vogogna that I made so minute a study of these houses, for it was there that the first effect of them struck and pleased me. I daresay you know it all before from pictures; but the painters of Italy, in this respect, had only to copy what they found in every village.

I must refer you for an accurate account of the Lago Maggiore and its islands to the books of travels. What distinguished it, at the first view, from the lakes I have seen at home, and in Ireland, is the soft serene clearness and calmness, "*la tranquillissima marina*," and the number of towns along the margin, with their picturesque roofs and towers. The glory of the lake, however, is the art that has been lavished on its islands. We were rowed away from this fairyland towards Arona, which we reached in about three hours, in one of those fine evenings which are remembered all the rest of our life.

At Milan (for I am now writing at a great distance from thence) we spent two days. The Opera-House is the handsomest theatre I have seen, in spite of being kept in the dark; I was not very much pleased with any part of the representation, either the singing or dancing: the chief piece, a half-serious opera, taken, I believe, from Mrs Opie's tale of the "*Father and Daughter*," the serious part consisting of the history of a madman's cure, and the comic of all the buffoonery which the lowest vulgar practise with persons in that unhappy state. Anything more repulsive to good taste and refinement, in dramatic exhibitions, cannot be fancied. There was one fine moment for theatrical effect: the maniac in his recovery hums a tune, which he cannot go through, and his daughter standing by, but out of sight, finishes it for him. It was her tune in her youth, and her misconduct had brought on his derangement; but the music was not equal to this situation. It struck me that throughout the piece there was, both in the acting and in the circumstances of the story, a mixture of the details and habits of ordinary life which would offend us in our opera or modern tragedy; and which, if one is safe in making such a remark upon a single instance, is perhaps national: the observation struck me the more, because I observed the same sort of thing in the gestures and elocution of a preacher whom we heard in the cathedral. There is no vulgarity in what I mean, but a common manner taken from common life, which must aid powerfully, both on the theatre and in declamation, any eloquence that has strength in itself. I would compare what I am talking of, and which I expect I have not made very intelligible, to those familiarities and domestic details with which Shakspeare touches his highest

passages, and which offend French critics much though they heighten our delight.

You may be sure we saw the remains of the "Cenacole" of Leonardo da Vinci, in the refectory of the old monastery of Nôtre-Dame des Graces. Enough of it yet remains to exceed all the ideas which the best prints had given me of the majesty, and plainness, and pathos of the design: the principal figure is little injured, and is very fine and affecting. The greatest wonder of Milan is the cathedral or Domo, another illustration of Bonaparte's ambition for the fame of public works. There is, I dare say, a great mixture of style in a building which it has taken so many ages to erect; but minute criticism is not to be thought of in the sight of such vastness and richness. Our first visit to the cathedral was on Sunday about dusk: the whole perfumed with the incense. A monk was preaching to a very large and attentive congregation. His pulpit was a semicircular gallery round one of the great pillars, a form very favourable to the freedom of his action, which was easy and graceful, with that sort of familiarity which I alluded to before.

We left Milan on the 20th September, and came to Turin, where we remained several days. We then crossed the Alps again over Mount Cenis, by another great road which we owe to Napoleon, which is only second to the Simplon as a monument of his power, and of the use he could make of it. Our course was by Rivoli, which may be called the head, I believe, of the plain of Lombardy. We found the heat great, and in the middle of the day oppressive, while we were on this low level, which is covered with the richest meadows, and rice plantations, and mulberry-trees. The view of the Alps, "the stony girdle of the world," which was before us as we traversed the plain, was grand in the highest degree, and might easily suggest the prejudice of the Italians in all former times, that this was their boundary from another world inhabited only by barbarians. The finest single object was Monte Rosa, as seen all the way from the Ticino to the Serai. We came through the Alpine valleys of Savoy, beautiful all the way, if we had not been satiated with such scenery, to Chambery, and then by Les Echelles and Pont Beauvoisin to Lyons. We passed some days there, and are now upon our way to Paris, where I shall not be able to stop for more than a couple of days. I am tired of moving about; but it would be very agreeable and very useful to make a residence of some weeks at Paris; the magistrates of Somerset, however, are upon the alert, and I must hasten to my tasks there.'

On his return towards France, he brought with him an introduction to Lafayette, which he had received from Lord Holland at Geneva, but which he had no opportunity of delivering. 'It is

not,' said his lordship, 'I assure you, every one of my countrymen whom I think worthy of being introduced to so consistent and warm a friend of rational liberty as yourself; but I cannot deny my intimate friend, Mr Horner, that pleasure, because I know he has both sense and principles to value such an advantage as it deserves.'

After he had reached England, we find him writing on the 28th to Dugald Stewart, whom he had to thank for some Parisian introductions:—

'M. Gallois did us the favour of taking us to the Chamber of Deputies on a day of public discussion. It would be well for France if sentiments as liberal and enlightened as his were to prevail generally in that assembly, which I fear has not sufficient strength of materials yet, either in point of talents or of connection with the people, to form the foundations of a popular constitution. * * * I had the satisfaction of seeing that excellent and agreeable man Camille-Jourdan at Lyons, one of the very few survivors who have gone through the Revolution, and the still more difficult trials of the late despotism, with an unsullied name and an unimpaired attachment to the principles of moderate liberty.

You will be glad to hear that I saw both M. Suard and the Abbé Morellet in good health. I met them together at a party of Madame Suard's, where Sir J. Mackintosh took me. It was very interesting to see in person two men who connect our day with names so memorable and times so remote, for I think the Abbé Morellet was at the Sorbonne with Turgot in the year 1748. I had remarked his sturdy figure in the Chamber of Deputies.

From what I could collect, though any judgment I could form in so short a stay is good for little, nothing can be more problematical than the future prospects of the new government of France. That the Bourbon family will keep their place, unless they are exposed to the hazards of a new war, or commit some enormous indiscretion at home, seemed to be the growing opinion of the most intelligent persons. But there appeared to be very little conjecture, and very little hope, with respect to the probable fate of what they call their Constitution. In the king's cabinet, it was said, there were almost as many systems as there were ministers; some of them, and these the most trusted, urging the king to bring back by degrees all the old institutions of every description, at the head of whom is the chancellor; others, such as Talleyrand, making a struggle, out of some regard to appearances of personal consistency, for as much of the improvements gained by the Revolution as can be retained. The Abbé Montesquieu is described as a mere creature of the court, but liking to make his speeches at the bar of the Assembly. The friends of the court say that Talleyrand attempted at first to surround the

king with his own dependents, and to make his majesty a cipher in the administration ; on the other hand, Talleyrand's account to a friend of mine was, that the king had the vanity to suppose himself capable of doing a great deal of business, in consequence of which it was in fact done by unfit persons. These stories are not inconsistent.

In the Lower Assembly there is nothing like party separation or connection. A remarkable symptom of this nature, however, showed itself in the senate during the discussion of the law by which a censure of the press has been established ; all the imperial marshals acting together against the measure of government. I was informed also that the young Duc de Broglie is an eager Constitutionalist, and that he has always shown a predilection for popular principles, as much as that disposition could be made known during the reign of Napoleon.

The discussion of that law excited a very lively interest in Paris among all men of education and reflection ; I was there at that time, and it appeared to me that its vast importance was duly appreciated and felt. I am afraid, however, that there is not in the country, or in the provincial cities, any degree of steady political feeling, connecting the middling classes of the people with their inferiors in a sentiment of common interest. The lower people in general, though more strongly in some districts than others, regret Bonaparte, and the loss of military glory, and that rapid military promotion which provided for their sons, and held out to all of them prospects of ambition. The middling classes, who felt the conscription as a tyranny of the cruellest description, rejoice at the removal of their late ruler, but have no feeling of attachment either to royalty in itself or to the Bourbons, who were literally forgotten. The priests are said to be very zealous in labouring to recall or create feelings of that sort, but hitherto without success. The populace of Paris are understood to be more disinclined to the present royal family than those of any other part of France ; they gave rather an unexpected proof of other attachments upon the Duke of Orleans taking possession of the Palais Royal, for he was hailed with acclamations, and several voices in the crowd spoke to him of his father, and said he was always the friend of the people. Among the people of rank at Paris the sentiment that is uppermost at present is, that they are relieved from a tyranny which, though not sanguinary, pursued them through every interest and almost every incident of domestic life with incessant interference and vexation.

The only sure and permanent prognostic of civil liberty that I could hear of in France is, the prodigious subdivision of land, and the unprecedented multitude of persons directly possessed of that property. An estimate, which seemed to come from authority,

made it as high as three millions of persons. So great a proportion of this must be held upon revolutionary titles, or upon titles founded in the new law of succession, that one should hope that so much at least of the benefits earned by the Revolution, as consists in this equitable law, and in the salutary transfer of vast domains to the people, must be secured for ever, and fortified against the designs of the court by an insuperable bulwark of such interests and such numbers. The court have had the folly, however, to issue secret commissions to the bishops for a return of the lands held by the church in 1791, and of the present proprietors by whom any of them are possessed: such a measure never can lead to any consequences but against the court itself. The fact is not much known in France, but there is no doubt of it.

This immense multiplication of landed proprietors has led to a great extension of cultivation in point of surface, and probably in many parts has made the cultivation much inferior in skill and efficacy to what it was before.

There are complaints, I observe, in all the statistical reports, of the unnecessary increase of vineyards, and of the diminution of the woods. I was assured, however, by a very intelligent and well-informed man, M. Decandolle, professor of botany at Montpellier, whom I was introduced to at Geneva, that of late years there has been a very great progress in the increase and management of artificial meadows. He told me, at the same time, that such was the subdivision of lands in the south of France, that the footman you hire is commonly the owner of an estate.

CHAPTER XII.

AGE, 37-38.—1814-1815.

Jury Trial in Scotland—Meeting of Parliament—The Neapolitan Treaty—Whitbread—Irish Coercion Bill—War with the United States—Madame de Staël—Sir James Mackintosh—Treaty of Vienna—The Slave-Trade—Castle-reagh—Talleyrand—Duke of Wellington—The Corn-Laws—Malthus—Debates on the Corn Bill—Bank Restriction Act—Letter to Earl Grey on Continental Politics—Considerations as to his Parliamentary Conduct and his Seat—Marquis of Buckingham—Factory Children—Opinions on Napoleon and Military Heroes—Death of Whitbread—Sir Charles Bell and the Battle of Waterloo—Canova, Wilkie, and Westmacott—Napoleon.

His first letter after his return from his continental tour, on questions of home interest, is the following, addressed to Mr Murray, on jury trial in Scotland:—

'LINCOLN'S INN, 24th Nov. 1814.

I am very much obliged to you for sending me Lord Meadowbank's thoughts on the introduction of civil juries into Scotland. I shall read with avidity everything that relates to that most interesting subject.

Kennedy must have misunderstood Mr Adam, I think, when he collected from him that I leant in favour of a vote upon the jury, rather than insist upon an unanimous verdict. I am convinced that all the advantages of a jury cannot be secured, particularly the conclusive and satisfactory decision of matters of fact, without having what we call unanimity in the verdict; which is not a real concurrence of all (of course it cannot be in the nature of things), but a contrivance which holds out to the public the show of such concurrence, and is attended with this advantage, that it makes every jurymen sure of being heard who has reasons to allege for his peculiar opinion. But if the prejudice be as strong against such a structure of the jury as people who know Scotland represent it to be, one must yield to the force of that obstacle, and the framers of the present bill will do wisely not to press any particular innovation against the prevailing sentiment of the country; though they will show their ability for such legislation still more conspicuously if, while they yield to public opinion in the first instance, they make their new institution with some contrivances for gradually improving that opinion itself, and for imperceptibly accommodating the machinery of the institution to such future improvement of the public sentiments. The oath of secrecy proposed is but a clumsy expedient, and will hardly be effectual. An idea occurred to me, which I mentioned to Mr Adam, to fix by the statute a definite number (*nine*, for instance, of a jury of twelve, or *twelve* of fifteen), whose agreement at least shall be required for a verdict; to receive the verdict, when that or a larger number are agreed, as the verdict of that definite number only; and when so many cannot agree, to instruct the jury to return their verdict, without saying anything of their division, as a verdict unfavourable to the party who undertook the affirmative of the issue. In this way a verdict in such matters would come to be habitually considered as the decision of that definite number of sworn men upon the issue joined; and when the popular notion of the thing was thus fixed, it might not be impracticable to cut off the supernumerary jurors. This will appear a crude proposal; I wish you would give it some consideration. I have sometimes conjectured, historically, that it was by some progress of this sort we got our unanimity of juries in England; a greater number being originally sworn, though always a number of which twelve was the majority, as in our grand juries to this day (which may consist of twelve, or of any

number greater than that, but not exceeding twenty-three), till verdicts came to be known as the finding of twelve men upon their oaths.'

A passage from a letter to the same correspondent on 30th January 1815 may be here inserted, though out of its strict chronological order, as a continuation of these remarks:—

'I never entertained any doubt that, upon the question of the unanimity of verdicts, a concession must be made to strong prejudice or misconception, as upon every other part of the bill, or of any new measure that respects the administration of justice. The word *unanimity* has done the mischief, which is none of ours. The principle of the English jury is no more than this—that they should *agree* before they give in their verdict; which practically secures all those benefits of discussion, of a disposition in all to be reasonable and moderate, and of an opportunity still left to a single dissentient to have his arguments heard, that would be excluded by the rule of a majority. Substantially and practically, in nine cases out of ten, the verdict must go by the sentiments of the majority; but the operation is very different from what it would be if it went *of course* by the voice of the majority. I cannot speak from much of what can be called experience; though with something of that sort, and with a good deal more of reflection upon the principles that ought to regulate the constitution of courts of justice; but I own that my opinion is, without any hesitation, that the requiring of the jury to agree before they give their verdict, and the taking it from them as being said by them all, is a highly valuable part of our existing system.'

Parliament met on the 8th of November, but adjourned on the 1st of December to the 9th of February. During this short session Mr Horner spoke on several occasions.

Treaty with the King of Naples.—On a motion for the House going into a committee on the army estimates on the 21st of November, Mr Whitbread put some questions to ministers relating to some proceedings of Lord Castlereagh at the Congress of Vienna, more particularly with regard to a treaty between Austria and the king of Naples, Murat, to which the British government had become parties. At a subsequent period of the discussion, Mr Whitbread thus described the nature of the proceedings as to which he desired information:—'It was a treaty of alliance between the reigning king of Naples and the emperor of Austria, by which the possessions of the former were guaranteed to him; and by a secret article in the same treaty, an accession of territory was promised to him from the dominions of the pope, on condition of the immediate co-operation of his army with the

army of the Allies. This treaty was acceded to on the part of the British government by Lord William Bentinck; and a note signed by him bore that in case the Neapolitan government should not exact the entering into a written treaty, but, relying on the word of a British minister, should be contented with a verbal engagement, the undersigned was instructed officially, on the part of the British government, to approve of the treaty; and that, if the English government refused to sign a regular treaty, it was from sentiments of delicacy towards an ancient ally, the king of Sicily.'

The question was three times before the House, and Mr Horner took part in all the debates. Along with some comments on the diplomatic proceedings of the Congress, now of secondary interest, he made the following remarks on the important subject of questioning ministers in the House, in answer to an observation by Mr Sergeant Stephen, that 'it would be a practice very inconvenient for the House to have questions of this sort daily put to ministers.' He said that 'nothing could show more clearly the change that had lately taken place in the practice of parliamentary proceedings, than to find a gentleman of the experience and ability of the honourable and learned member who spoke last condemn the practice of seeking information of ministers. What had become of the functions of that House if, when ministers demanded a large supply of money, gentlemen should be told that it was irregular to ask for what purpose it was wanted? If, indeed, there were any irregularity in this practice, it proceeded from the much greater irregularity that had lately been introduced on the other side of the House, in proposing large grants of money, and great armies to be kept up in time of peace, without condescending to inform the House for what purposes they were wanted. The right honourable gentleman desired them to wait with patience till some future day, when those subjects might be discussed with more regularity. He, however, conceived that the House had a right to be informed generally of the state of our foreign relations, although they knew that negotiations actually pending could not with propriety be communicated. His honourable friends, however, had not asked about anything that was doing, but about things actually done. They did not ask what crimes were meditating, but they wished to be informed about crimes actually perpetrated.'

Irish Peace-Preservation Bill.—On a motion on the 25th of November for the third reading of a bill brought in by Mr Peel, then secretary for Ireland, to amend an act passed in the preceding session, to provide for the better execution of the laws in Ireland, commonly known by the name of 'the Irish Peace-Preservation Act,' Mr Horner took occasion to say that 'he had originally thought this act, when introduced by the right honour-

able gentleman (Mr Peel), a most unconstitutional one; and of the principle of it he still entertained the same opinion; but from what he had lately heard, and particularly what had fallen from his right honourable friend who had spoken last (Sir John Newport), he was inclined to believe it had been attended with salutary effects; and it gave him the highest satisfaction to find that the Irish government had carefully abstained from acting on the very extraordinary powers with which the act invested them. On this account he did not feel inclined to give any opposition to the progress of the present bill.

War with the United States of America.—On the 1st of December Mr Horner brought forward a motion for a variety of papers relating to the conduct of the naval war against the United States of America, which he represented to have been such as to have brought great discredit on the country. He pointed out in detail the errors which he conceived the government to have committed in their mode of prosecuting the maritime war, and the war on the Lakes, and also the insufficient protection that had been afforded to the trade of the country. That with regard to the maritime war, notwithstanding the immense naval strength and high naval skill we possessed, we had sustained many defeats, and no effectual means had been taken to retrieve the tarnished lustre of our character; that there had been a complete neglect of all the means that common prudence would suggest for the defence of our Canadian frontier, and for carrying on the war on the Lakes; and that while he was ready to allow that all the complaints of the ineffective means for protecting our trade might not be well founded, he felt perfectly assured that so uniform and so long-continued complaints and representations to ministers from all parts of the country could not be without some solid foundation.

The chancellor of the Exchequer, after expressing a wish that his majesty's ministers might not be prejudiced on a question of such importance, said 'that he perfectly agreed in the importance of granting information, and had no objection to the production of the papers which Mr Horner had moved for; but that it would not be becoming in him to enter into the different subjects of the speech they had heard, as it would be best answered by affording information.'

Sir Joseph Yorke (one of the lords of the Admiralty) said 'that the Admiralty would wait till the papers were produced before they made their defence, conscious that the contents of those papers would afford them a complete justification in the eyes of the public.'

Mr Horner, on rising a second time to move for the production of another paper, said, 'It was certainly proper for the right honourable gentlemen opposite to determine in what way they would meet the question; nor had he any fault to find with them,

for they had granted him the papers he required, and from their conduct that evening, he should consider every charge he had brought against them as undeniably true, until they were contradicted. He could not, indeed, believe it possible that men, sitting in their capacities, before Parliament and in the face of their country, would patiently endure such accusations if they could refute them, and shuffle off the inquiry for three months longer! What! the ministers of the crown, the ministers of a great nation, ministers intrusted with all the affairs of government, would they, if they could help themselves, say, "Three months hence the voluminous papers you require shall be ready for you; and when you have got them, you may then fish out for yourselves the information you want!" Novel as their proceedings had been on various occasions during the present session, their present conduct exceeded all that had been before witnessed. But the best times of that House were gone by: they had lost those men who, trusting to their own eloquence, trusting to their own elevation of mind and character, their wisdom and integrity, would have dared their adversaries to the proof of accusations like the present, and not have sought to escape them by petty evasions. Such a scene as was now beheld would not have happened in their days, whose example and precepts the right honourable gentlemen opposite pretended to follow. He would not repeat the name of Pitt—they could not look up so high as that—but in the days even of Mr Perceval, had a charge of gross neglect in the execution of their duty, a criminal betraying of the interests of their country, been preferred against the administration, how different, how widely different, would have been the conduct on the opposite side! Any men having the feelings of men, any statesmen having the feelings that belong to their high condition, could not silently brook the imputations now cast upon the right honourable gentlemen opposite, without at least stating in general terms that the facts advanced were untrue, and the inferences unjust.

The chancellor of the Exchequer rose after Mr Horner, and said 'that government was in possession of more than sufficient information to refute all the facts of the honourable and learned gentleman, but that he wished the justification of ministers to rest upon authentic documents, and not upon his bare assertions; and he would repeat, notwithstanding all that had fallen from the honourable and learned gentleman, that he was still willing for the present to rest the case upon that foundation.' Mr Wellesley Pole and Mr Bathurst also rose on the part of ministers, defending their conduct in general terms, but resting their full justification upon the facts which the papers they would lay before the House would disclose.

In a letter of 6th December to Sir James Mackintosh, then in

Paris, he sends his respects to Madame de Stéel, whom he had met at Coppet, and says:—

‘While we were protesting against the monstrous proceedings of the robbers at Vienna, I never ceased to wish you had been in your place to enforce our remonstrances. With what effect this expression of what I believe to be the public opinion of all England will be attended, rests with our minister, upon whom parliamentary control is not wholly without effect, as is shown in the publication he has made at Vienna of a treatise on the slave-trade. A treatise by Castlereagh in favour of the abolition, who to the very last opposed the bill of 1807 in the House!’

Sir James wrote on the 12th in a manner which would appear to indicate that he had received from Horner some more full and emphatic letter bearing on the negotiations at Vienna so far as they related to the slave-trade. He commences thus:—

‘On receiving your letter yesterday, my first thought was to request you to call on Lady Mackintosh, that she might read to you what I had written, when the spontaneous communications of the Duke of Wellington were fresh in my recollection. But on further reflection, both on the unspeakable importance of the subject, and on the just authority of your opinion, I resolved to request an interview with him, which passed this morning without any mention of your name.

He behaved, as he has always done in his conversations with me on this matter, with considerable apparent frankness; and whatever his original opinions might have been, he seemed to have a fair disposition to do his utmost in the discharge of his present trust.’

Mentioning the measures likely to be adopted, but in a doubtful tone as to their efficacy, he continues:—‘Lord Castlereagh and he [the Duke of Wellington] had, it seems, suggested to Talleyrand the necessity of a law on this subject, and of course the concurrence of the two Chambers; but neither Talleyrand nor any of the other ministers admit such a necessity. They represent commerce as being capable of being regulated by the king’s prerogative. Your question is, I conceive, not put as a French Whig, but as an English abolitionist. If this *règlement* be held here to be a legal abolition on the northern part of the African coast, it is sufficient for our purpose. To this information I venture to add, that in my opinion it would be wise to give the ambassador a reasonable time for obtaining this *règlement* on as good a footing as he can, before anything be done or said on the subject in England.

The duke told me, though perhaps rather in a more confidential manner than the rest of his communication, that in consequence of a conversation of Talleyrand with Lord Holland, he (the duke) had been authorised to offer a colony for the immediate abolition;

that this offer was at first pretty peremptorily rejected, but that, since some discussions, in which he endeavoured to prove the impossibility of recovering St Domingo by arms, and the wisdom of offering a charter to that island, which should insure the liberty of the negroes, and procure as much compensation as can be had to the ancient landowners, they have shown rather less aversion to the exchange of their slave-trade for a colony. It appears that Talleyrand supports in the Congress the measure of an abolition by all Europe. You have now all that I know or think on the subject.'

Writing to Mr Murray on the 30th of January he says:—'There is certainly no foundation for the distinction with which I am honoured, it seems, at Edinburgh, of being a convert to the Corn Bill. The more I have read upon the subject, and the more I hear upon it, I get more firmly fixed in my original opinion, that nothing should be done; of course it will be carried with a loud clamour, and with much abuse of all *lackland* theorists. It would be as absurd to expect men to be reasonable about corn, as to be reasonable in matters of religion.'

But he enters far more fully on this subject in a letter to Malthus of 12th February, from which the following passages are selected, as those which have least reference to mere transitory details:—

'I have to thank you for sending me your two new publications upon the corn question, which I have read and am still reading. You will think me very hardened, but I must own that my old faith is not shaken by your reasonings; on the contrary, I am even so perverse as to think I have discovered, among your ingenious deductions respecting rent, some fresh and cogent arguments in favour of a free corn-trade for this country; by which I always mean, as free a trade as we can secure by our own good sense, however it may be impaired by the deficiency of our neighbours in that qualification. If the consequence of "high farming" and curious cultivation be a progressive rise of the price of produce, an importation of partial supplies from countries, which by a ruder agriculture can furnish it cheaper, seems the provision laid by nature for checking too exclusive an employment of capital upon the land least fit for culture. It would be a palpable sacrifice of the end to the means, if, for the sake of extending our most finished husbandry to every sterile ridge that can be forced to yield something, we impose upon the whole body of the people extravagant prices for the necessities of life. Nor do I see, upon your peculiar principles, what other result there would be if Dartmoor and Blackstone Edge were laid out in terraces of garden ground, but a population always in some peril of being starved, if their rulers will not let them eat the superfluity of their neighbours. I have not leisure to write out in any syste-

matic form what has occurred to me, but I wish you would allow me to suggest some objections to you, and to request further explanations from you, on some points which I have marked in a very hasty perusal of "The grounds of your opinion." I mean to put them down without any attention to order, and will stuff as many of them into this letter as I have time for; I have, in truth, very little time for these speculations. * * *

Speaking from recollection only, I should not say that it is a result to be gathered from the evidence before Parliament, that "a continuation of low prices would, *in spite of a diminution of rents*, destroy farming capital, and diminish produce." (p. 5.) The witnesses who make this prediction, generally at least, if not uniformly, speak upon the supposition of the present rents being still to be paid. I may observe too that they generally take for granted, which is more fallacious, that with low prices, and continued low prices, all the expenses and outgoings of a farm are still to keep at their present rate; and so they prove, demonstrably to their own conviction, that a farmer will never be remunerated if he gets but 8s. a bushel for his wheat at market, while he is feeding all his ploughmen, and buying his seeds, and paying all the auxiliary labour of the farm, with wheat at 12s. a bushel.* * *

I think some portion of the same fallacy which I last mentioned has slid into that part of your argument, p. 24., where you point out the advantages the labourer may derive from a high money price of corn, and consequently high wages to himself. Do not you assume that, though corn should fall and bring down wages, yet there will be no fall in the prices of any other articles of his consumption?

In considering the influence of a low price of corn upon the condition and comforts of the labourer, you have wholly omitted this consideration, that such a fall will release thousands and tens of thousands from the parochial pauper list, and restore them to the pride of earning their bread by free labour. I could not read without indignation in the evidence of Mr Benett of Pyt House, who seems the very model of a witness for corn committees, his cool statement of the rule he makes and unmakes for the distribution of rations of provender and fodder among the prædial slaves of a whole district of Wiltshire. It is this audacious and presumptuous spirit of regulating, by the wisdom of country squires, the whole economy and partition of national industry and wealth, that makes me more keenly averse to this Corn Bill of theirs than I should have been in earlier days of our time, when the principles of rational government were more widely understood, and were maintained by stronger hands at the head of affairs. The narrow conceit of managing the happiness of the labouring population, and of directing the application of industry, as well as the competition of the market, works in the present day upon a much

larger scale than when it busied itself with the pedlar items of the foreign trade.

You have stated, p. 27, rather like a skilful advocate than quite fully, the experience of the last hundred years respecting the fluctuations of the price of corn. You have shown but one side of that experience, which has two sides, very much alike. You take one period of fourteen years, and show a considerable fluctuation, by including remarkable years of dearth. This is during the time of imports being in excess. But take another period of fourteen years, while the excess was on the side of exports—for instance, the period from 1706 to 1720: the price of wheat in 1706 was 26s.; in 1709 and 1710 was 78s.; in 1719 was 35s. Take the first seven years of the last century, the average price was 30s.; in the seven subsequent years the average price was as high as 57s. In 1740 the price I find was 50s.; in 1743 only 24s.; in 1757, again, 60s. After this it must be admitted that the argument concerning *fluctuations* rests still in theory; and then *my* theory would be, that, upon the whole, nothing will contribute so much to make prices steady as by our leaving our own corn factors unfettered by restrictions and regulations of our own making; and without embarrassment from that source, to make their own arrangements for bringing corn, when it is wanted, from the various large and independent markets, of which, in the present circumstances of the world, they have their choice. And though one may argue from experience, it can never be a sound inference from the state of prices, under the imports of the last seven or eight years, to conclude that there will be the same uncertainty in the new position of political circumstances.'

The House of Commons met pursuant to adjournment on the 9th of February; and on the 21st Mr Lambton* moved for a variety of papers relative to the transfer of Genoa to the king of Sardinia, which he characterised as an act by which his majesty's ministers had degraded England in the eyes of the world, for they had abandoned a pledge given to a nation invited by them to independence. He stated that in April 1814 Lord William Bentinck in a proclamation had told the people of Genoa that their ancient government was restored: that in the name of the British government he appealed to their national feeling—recalled to them the days of their ancient prosperity, and pledged his country to reinstate them in their former privileges. That, notwithstanding all this, in eight months afterwards a mandate arrived from the Congress of Vienna, annulling all that had been done in favour of Genoese freedom, and delivering up the country to the king of Sardinia: that the transfer was made by a British proclamation, signed by a British officer: that in this

* Afterwards Earl of Durham.

proclamation General Dalrymple informed the people of Genoa that the government appointed by Lord William Bentinck had been delivered up into his hands, and that he surrendered it, by command of the Prince Regent of England, to the king of Sardinia.*

Mr Horner is said to have made on this occasion 'an animated speech,' in which he took a view of the conduct of the British government towards Genoa. The report of what he said is contained in 'Hansard's Debates,' but it is so brief that it can be little more than an outline of a speech which could call forth the high encomiums, that several eminent persons who heard it delivered, afterwards bestowed upon it.

Corn-Laws.—During the month of February the subject of these laws was several times under the consideration of the House, and Mr Horner appears to have taken an active part in most of the discussions.

Mr Robinson † moved on the 14th, that on the 17th the House should resolve itself into a committee to consider the state of the corn-laws; and he announced his intention of then submitting a series of resolutions preparatory to the introduction of a bill: and on the motion of Mr Horner, some returns were ordered, to render more complete the information that others, ordered on the motion of Mr Robinson, were intended to afford.

Mr Alexander Baring‡ moved on the 15th for another return. Mr Horner asked the Chancellor of the Exchequer 'whether he intended to take the sense of the House at once upon resolutions which had perhaps been fully discussed, and unanimously carried at the house of Lord Liverpool, but of the grounds of which, or the justness of the reasonings urged in their support, Parliament could have no knowledge. In all great questions it had been the practice to communicate some information before calling upon the House to vote; instead of which, a sort of Lords of Articles had been sitting in Whitehall-yard, to determine upon what should be brought forward, and making a compromise of opinions. He certainly did consider that such a proceeding had a tendency to fetter the freedom of opinion in that House.'

Mr Robinson brought forward his resolutions on the 17th, the most important of which were, in substance—that foreign corn, &c. might be bonded and re-exported without payment of duty; and that the importation from foreign countries for home consumption should be prohibited altogether until wheat rose to 80s. the quarter, and other kinds of grain in the same proportions as then existed; and that the same prohibition should apply to our North American colonies until wheat rose to 67s. After

* Hansard's Debates, vol. xxix. p. 928.

† Afterwards Earl of Ripon, at that time vice-president of the Board of Trade.

‡ The present Lord Ashburton.

a long debate, it was agreed that the resolutions should be re-committed, *pro forma*, on the 20th, and the report be received on the 22d. On the latter day Colonel Gore Langton, after stating that he was opposed to any change being made in these laws, opposed the motion for the House going into committee; but only six voted with him in a House of 203. On that occasion Mr Horner said—‘He came down to the House with a sincere desire of hearing the question fully discussed; for however strong might be his own opinions, he thought it due to the importance of the subject to hear the opinions of all who had considered it, and to ascertain the various modes in which the evidence which had been adduced had struck various minds.’ The debate lasted till two o’clock in the morning, and was adjourned to the next day; and then Mr Horner delivered his sentiments on the question. The report of his speech is given in ‘Hansard’s Debates.’ He is there reported to have said, in reference to what he termed ‘the great radical principle of a Free Trade’—‘That this principle was entitled to respect, was not the opinion of what were denominated mere modern speculatists, but of the soundest thinkers upon commercial policy, aided by the experience of practical men, who most naturally deemed the success of agriculture as the main basis of commercial prosperity. Those, then, who concurred with such thinkers, could not be regarded as theorists only, nor were they fairly liable to the attempts made to depreciate their judgment. He was indeed surprised at these attempts, as if the denomination of ‘political economists’ could detract from the authority of any gentleman who opposed the measure before the committee. But who were they who resorted to nicknames upon this occasion? Why the very men who admitted that the knowledge of political economy required deep reading, and that what appeared paradoxes to superficial observers were, upon further investigation, proved to be just and rational views. Those, indeed, who used the nickname alluded to, endeavoured themselves, by the legerdmain of figures and a complication of details, to confer a rational character upon a proposition which had all the complexion of a paradox, which, in fact, appeared utterly irreconcilable with reason.’

Another adjournment took place at half-past three in the morning to the 24th, when Mr Robinson’s resolutions were agreed to. Another, and a very long debate, took place on the bringing up of the report on the 27th; Mr Baring proposed, and Mr Horner seconded, a motion for adjournment, which was negatived; but soon afterwards the motion was renewed by Mr Baring, and seconded by Mr Horner, and carried. The resolutions were finally agreed to on the 28th, a bill was brought in next day, and after long discussions in its several stages, was passed on the 10th of March.

On the 3d March Mr Horner says in a letter to his father :—
 ‘The Corn Bill has been well discussed, though carried clamorously and precipitately. It is, in truth, a most unwise measure, though I really believe that most of those who vote for it have brought themselves to believe that it may be serviceable to the agricultural interests of the country; at the same time the most conscientious of them cannot but know they will be no losers by it: for if it proves effectual at all, its operation will be merely to save rents a little in their unavoidable fall, and to gain this advantage to landlords, by putting the people upon shorter allowance than they would otherwise have.’

The opinion of Mr Horner’s parliamentary career entertained by his old friends, is indicated in a letter from Mr William Murray to Mr Horner senior of 8th March :—

‘I cannot resist the opportunity which a frank offers, of writing you a few lines of congratulation upon the excellent appearances which your son has lately made in the House of Commons. His speeches upon Genoa and the corn question I have heard mentioned with the most unqualified praise by some of the best judges; among whom I may mention Sir Samuel Romilly and Sir James Mackintosh. The latter said that “two such speeches had never been made in the House of Commons by the same person in one week; or at least not for a great many years.” It seems now perfectly understood that his character, as a speaker, is firmly settled in the very first rank of the House of Commons.

What a pity it is that the speeches to which I allude were so imperfectly given in the newspapers!’

Bank Restriction Act.—Another important measure of the government in this session, to which Mr Horner naturally directed his attention in its progress through the House, was the renewal of this act. On the first day the House met after the long adjournment—that is, on the 9th of February—the Chancellor of the Exchequer proposed that on the 13th the House should go into committee to consider this act. Mr Horner asked him whether he meant to propose the renewal of the act without first moving for a committee on the affairs of the Bank; and the Chancellor of the Exchequer having replied that he had no intention of moving for such a committee, Mr Horner next day said—‘He should move for the production of such papers as would enable members to form some judgment on the state of the currency of the nation, and the issues made by the Bank of England. He conceived that an inquiry should be made into the funds of the Bank, to ascertain whether the Company would soon be capable of renewing their payments in cash; and that this was an inquiry in which the feelings of the country were deeply interested. Without more information than had yet been pro-

indeed, it was not possible for the House to form any accurate opinion relative to the matter.'

On the 16th of February the Chancellor of the Exchequer stated that, 'whatever difference of opinion might prevail as to the period at which it might be practicable to resume cash payments at the Bank, he apprehended that all were agreed that such payments could not be resumed by the 25th March next, on which day the act would expire; it was therefore necessary that a bill should be brought in to continue the act for a limited time.' This was agreed to without opposition. In the committee on the bill on the 2d of March, it was agreed that the continuance should be to the 6th of July 1816; and on the bringing up of the report on the 7th, Mr Horner said—'He was decidedly of opinion that the Bank ought to resume cash payments as early as possible, and he could not allow this opportunity to pass without entering his protest against the bill altogether. The Chancellor of the Exchequer, who had said that he expected the measure would not continue to be necessary beyond July 1816, he regarded as being pledged, not that the Bank should resume its payments in cash at that time, but that he would not lose sight of the subject. It was a mere delusion to suppose that the Bank would resume cash payments if left to themselves. Government must interpose its authority; for it was not natural that the Bank should spontaneously give up the great profits which they derived from the system of restriction. Was it not a strange circumstance that, during the period of our greatest foreign expenditure and our largest importation of grain, the price of gold was falling; and that it was rising this year, when our foreign expenditure was rapidly diminishing every week, and the importation of wheat had ceased! On the third reading of the bill he should propose that a declaration of the principle that the Bank must resume its payments should be introduced. No one wished cash payments should take place immediately, but that ministers should adopt the doctrine of the necessity of their taking place.'

On the third reading of the bill on the 9th of March, Mr Horner moved as an amendment, 'That whereas it is highly desirable that the Bank should, as soon as possible, resume its payments in cash, immediately after the passing of the present act measures should be taken by the Bank to enable them to resume such payments. His object,' he said, 'in proposing this amendment was, that the Bank should, in the fifteen months longer allowed them, lose no time in preparing to resume cash payments, and not consider this as a new lease of exemption from paying in specie.'

The Chancellor of the Exchequer said—'He had no objection to the introduction of the first part of the amendment, which expressed the desire of a resumption of cash payments, as he himself felt a sincere wish for that event; but he would cer-

tainly object to the latter part, which required the adoption of immediate measures for that purpose.' Mr Horner consented to take only the first part of his amendment. He said—'That his purpose in proposing the amendment was to record the difference in principle on this question. He agreed that the Bank could not commence cash payments till the market and Mint price of gold were the same; but then the Bank must take steps themselves to bring this about. He contended that the present amendment was perfectly consistent with the report of the Bullion Committee. We had been already ten months at peace, and by the present bill fifteen months were added to the period of the restriction, which amounted to more than two years. The House might rest assured that unless Parliament interposed, payments in cash would never be resumed by the Bank of England, whatever might be the good wishes expressed by the directors in that House.' He then altered his amendment to the following words—'That it is highly desirable that the Bank of England should, as soon as possible, return to the payment of its notes in cash.' The amendment was agreed to.

LETTER TO EARL GREY.

'LAUNCESTON, 28th March, 1815.

DEAR LORD GREY—I cannot say how much I feel obliged to you for taking the trouble of writing to me so full and satisfactory an account of the sentiments of our different friends at the present moment: they seem all of them, upon the whole, more pacific than I was prepared to expect. The preservation of peace for any length of time is, I fear, a vain wish, considering the parties on all sides with whom it rests. But the manner of our renewing the war is a point of principle upon which I dreaded more serious differences of opinion. These may be saved probably by the immediate course of events, or rather by the conduct of the single man who guides or drives the events of our time. But if he should, in the first instance, think it for his advantage to hold out terms of peace and moderation, a schism would seem unavoidable, at least for the interval of such a discussion, between those who are for an immediate invasion of France, because Bonaparte is sure in the end to play his old part, and those who think that everything is gained for the justice and popularity of the war throughout Europe, by forbearing to interfere in French affairs till aggressions are again attempted. It affords me the greatest satisfaction to know that the opinion I had formed upon this turn of circumstances coincides with that of your lordship in all points.

A war renewed now upon the footing of the Treaty of Paris will be, in truth, a war for the restoration of the Bourbon family,

coupled with a still more indefensible principle—that of proscribing an individual to destruction. No successes would ever reconcile me to such a war; but by so recommending it, we should multiply all the chances against us. The entrance of foreign troops upon French territory will give the Emperor at once all the strength of French national enthusiasm, certainly not weakened by having been suppressed for a year, nor by the insults which it has recently submitted to. If the Austrians march across the Rhine, I suppose they will detain the Empress and the young boy as hostages; and that cannot fail to give Bonaparte an advantage in the war, both among his own people and foreigners, of all the interest and sympathy which such a circumstance must naturally inspire; and all this is to be done with the hope of forcing upon France a family who, in a year's possession of the throne, could not secure a dozen bayonets to keep them in it; and who were so utterly insignificant, that they were not molested in their flight—Believe me, &c.

From two letters to his father, of the 10th and 18th April, the following passages are selected:—‘ You would not be sorry, I am sure, to see my name in the small minority the other night, which voted that we ought not to begin the war by an attack on France. The question is a very difficult one, and upon which different views may be taken, even by those who are most agreed upon political principles and objects. My determination was not taken without a great deal of previous consideration, which my absence from London gave me an opportunity of pursuing at leisure, and I did not give that vote before my opinion was clear and satisfactory to my own mind. The consequences, in the event of immediate war, may be important to myself with respect to my seat; but of course I saw all these consequences, and gave them no weight. There are some differences of opinion among our leaders, which may never come to a difference in Parliament; that depends upon events; but having had confidential communications with both the eminent persons to whom I allude,* I have found in this instance only fresh occasion to respect the patriotism and public integrity of both. But I shall be more particular when I can find time to write at length; in the meantime, I request that you will keep the whole of this to yourself, with the exception of Leonard; for the time is not yet come for making any such disclosure, and it is possible that the necessity of making any disclosure may yet be averted.

18th April.—As I have already explained to you, I had formed my own opinion upon the new state of affairs produced by the return of Bonaparte to France before I left London for the circuit;

* Lords Grey and Grenville.

and the leisure of travelling by myself, and of the time I passed in the country, afforded me an ample opportunity of reconsidering all the circumstances. It was but too certain that there had arisen an entirely new conjuncture, in which there was to be expected a diversity of opinions, and in which every individual having a seat in Parliament would have his vote to give according to his judgment.

Before I left London, I explained the views I then took of the subject to Lord Grey, and requested him to apprise me of any indication that might appear in the party of sentiments more inclined to war. During my absence I was apprised by him of a correspondence that had passed between him and Lord Grenville, in which the latter, with that frankness and public integrity which mark every part of his political conduct, had sought occasion to put Lord Grey in possession of the whole of his opinions upon this new state of things. The result was, the statement on Lord Grenville's side of an opinion that the maintenance of peace with Bonaparte is impossible, and that our policy ought therefore to be a renewal of the concert of last year for immediate action: on Lord Grey's, the opinion that, even granting war to be unavoidable in the end, it is the duty and policy of this country, and of the Allies, to take every chance of maintaining the peace; and that a war immediately begun, by an aggression against France, would both want the justification of aggression by France, and would involve the unjustifiable principle of interfering with the right of the French to choose their own government.

I wrote to Lord Grey, and expressed the satisfaction I felt in coinciding wholly with his sentiments; and then I turned myself to consider how I should proceed with most propriety and delicacy towards Lord Grenville, in order to relieve him or Lord Buckingham from the disagreeable necessity of making any communication to me, and at the same time to avoid everything like fuss or *éclat* in relinquishing my seat for a difference of opinion with those from whom I hold it. The impression with which I came to town was, that I should at once abstain from attendance in Parliament, and with that feeling I declined attending a meeting held that night at Mr Ponsonby's, for the purpose of considering what was to be done next day upon the message from the throne. When I found, however, that Lord Grenville's nearest connections had attended that meeting, and not only they, but those who are the most decided upon the question of immediate war, such as Mr Elliot; and when I saw that there was the most sincere anxiety on both sides to avoid, or at least to postpone as long as possible, any public declaration of the difference of opinion, I thought it would be better not yet to go out of my own course, but to wait for the circumstances that would either force such declaration or supersede it.

Upon the message, everything went off as well as could be desired in the House of Lords, in consequence of the cautious, if not pacific, speech made by Lord Liverpool: the same forbearance was highly desirable to have been observed in the House of Commons, but in that we were disappointed, partly perhaps by a little forwardness on the part of Whitbread, but much more by the tone of Lord Castlereagh's speech. An amendment, therefore, was put to the question, expressive of an opinion unfavourable to immediate and aggressive war; and though many of the real friends of peace, and of our surest adherents in politics, voted against the amendment in consequence of Mr Ponsonby having committed himself hastily not to vote for any, yet the vote being taken, I had no hesitation in going out with the minority, and reflect upon that vote now with the greatest satisfaction.

When I went home that night, I found a note from Lord Grenville, desiring to see me, in order to have some conversation with me on the new state of affairs which the reverse in France had occasioned. This was exactly what I most desired, and what relieved me from every embarrassment. I waited upon him next morning (the 8th of April), and shall now endeavour to state to you as much as I can recollect of the conversation.

[Here the letter terminates, and it does not appear to have been sent.—L. H.]

The following letter to Jeffrey affords a pleasant variety, both in tone and matter, to those immediately preceding it:—

'LINCOLN'S INN, 19th April, 1815.

MY DEAR JEFFREY—I did not hear before of your being ill, nor of your growing avaricious; if your avarice and indisposition grow together, I shall not be very uneasy about your health.

You did right, I feel quite certain, to save the garden wall, at least for further consideration. Though I have never seen it, yet my prejudice is much in favour of old garden enclosures near a house; shelter, and trimness, and formality, and much variety and luxuriance of vegetation close to the house, are my notions of enjoyment in a garden, which are all borrowed from Lord Bacon and Sir William Temple's descriptions, with a little improvement from Price, and are diametrically opposed to the late fashion of having nothing in sight of your mansion but grass, and that up to the door, and that close shaven, in order that there may be as little of richness in the vegetation as variety. I envy your occupations at Craigcrook greatly; for of all things in the world, what I most long to be at is to be in my own garden of Eden. I have a particular fancy for making a winter garden, full of all the shiny evergreens that can be brought together; to have the enjoyment of their verdure on those winter and spring days of occasional gleam which diversify so delightfully our stormy climate. You

promise me shelter for our stoicism; you can keep no shelter but upon the old plan of a garden. I mean certainly to come and see you in the course of the year; if I can manage it, in August and September; and I fear that by that time no ethics but stoicism of the severer kind, taken from Epictetus rather than Marcus Antoninus, will suit the condition of this poor world. We are doomed, it seems, to a farther prolongation of those pangs and throes by which the continent of Europe is agitated, while she is throwing off feudalism, and the divine right of kings, and the earthly rights of priests. It is a dismal period to live in. I own I think better now than I did two years ago of the ultimate result to the other nations of Europe, and worse of the immediate prospects of our own country. But the glimpse of future sunshine is so faint, and so far off, that it scarcely relieves at all the gloom and discomfort of our present circumstances.

I have not yet read much of the Review; but in all I have read I am satisfied and pleased with the sentiments expressed on the subject of our relations with France. All those greater politics are within your legitimate province, and you do infinite service to the public by expounding your opinions.—Affectionately yours.

Mr Horner considered that his opinions on the question of peace or war now rendered it necessary that he should make a special communication to the patron of his seat—the Marquis of Buckingham. Now that this species of patronage has been abolished, the letter and its answer may be considered curious specimens of the manner in which high-spirited and honourable men communicated with each other on such matters:—

‘LINCOLN’S INN, 28th April, 1815.

MY DEAR LORD—In the course of a conversation which Lord Grenville had the kindness to seek with me some little time ago, for the purpose of stating to me his views of the new conjuncture in which our foreign politics are placed by the late calamitous reverse of affairs, I took that opportunity of requesting that he would have the goodness to mention to your lordship that I unfortunately found myself differing, upon the question of peace or immediate war, from the sentiments which I understood were entertained by your lordship.

I cannot, however, but fear that by too long a delay in making this communication myself, I may have prevented your lordship, in your kindness and delicacy towards me, from proposing the new arrangement which such circumstances suggest. The vote of last night upon Whitbread’s motion, in which I concurred, brought us in the House of Commons to the crisis of those discussions which are rendered unavoidable by the present relations of this country; and there seems very little reason now to expect

that any change in those relations can prevent the difference of opinion which exists from being permanently marked to the public, in the daily recurrence of parliamentary questions, in which that difference of opinion must be acted upon in debate as well as votes. As I have hitherto taken no part in them but by my vote, I am very anxious not to leave your lordship in any uncertainty respecting the extent of my opinions, as evinced by that which I gave last night in support of Whitbread's motion.

I have never before expressed to your lordship the sense of grateful obligation which I have felt, and shall ever continue to feel, for your kind and partial distinction of me, in conferring upon me the most valuable of all services. If any conduct of mine could tend to show me worthy of that kind preference by your lordship, I know it would be in my wish to continue the important trust only so long as I can reconcile the discharge of it to my own ideas, however imperfect they may be, of what is good and safe for the country. Having given notice of two motions, the last of which stands for Thursday next, I am desirous of performing these engagements; after which I shall make every other consideration give way to that of consulting your lordship's wishes and convenience.'

The marquis says in answer:—

'BUCKINGHAM HOUSE, 29th April, 1815.

MY DEAR SIR—I do not lose a moment in answering your letter. I was quite sure that the honourable and delicate feelings of your mind would induce you to make the offer which you have done; and Lord Grenville did ample justice to those feelings, in detailing to me the conversation to which you advert. In contributing my assistance to your parliamentary objects, I was actuated by a sincere wish to be the means of giving the public the advantage of great talents and pure honourable feelings in the House of Commons. I have derived the warmest satisfaction from the experience of the entire success of that wish, and I shall feel the greatest regret if a continuance of the expression of those honourable feelings on your part should render the carrying into effect of the measure you advert to in your letter necessary for your own satisfaction. I will freely confess to you that I will not relinquish the anxious hope which I entertain, that the present difference of opinion which exists between us upon one subject will not lead to a continued difference in our public line of conduct. I am happy to say that I see many reasons why such a result need not take place. Last night's vote does not in the least weaken those hopes or change that opinion. Should, contrary to my hopes and expectations, events take that turn which may render such a radical and continued difference of

opinion necessary as may make it irksome to yourself to express those opinions whilst holding your present seat, in that case I will accept the offer so honourably tendered by you now. But assure yourself that I shall do it with the deepest regret, as I look forward to a continuance of a connection between us, so gratifying and so advantageous to myself, with an anxiety which will make me eager to postpone to the last possible moment, consistent with your own feelings, the doing anything, or the accepting any offer, which, though it may prove difference of public opinions, never can diminish the sincere regard with which I am, &c.

In enclosing copies of these letters to his father, Mr Horner says—'They will explain themselves; and I am sure you will agree with me in thinking that nothing can be more liberal than Lord Buckingham's manner of seeing this business, or more strictly consonant to the honour that should be the foundation of such a relation as subsists between him and myself. I had a conversation to the same effect with Lord Grenville, and nothing can exceed the satisfaction which I derive from the footing on which this matter is placed. I shall continue acting in my own way, and upon my own opinions, until the event, which I do not now anticipate, of a final separation; and when that takes place—which I shall on every public account, as well as from private regard to those who have treated me with so much kindness, extremely lament—I shall then offer a second time my resignation.

I fancy I made heavy work of it last night. My stings were drawn at the beginning, by hearing that the papers were to be granted.'

Treaty with the King of Naples.—The allusion towards the end of the preceding letter was to a speech which he had made in the House of Commons the preceding evening, in moving for the production of papers relative to negotiations between Austria and the then king of Naples, Murat, to which the British government had been a party. The motion referred to the same transactions as those to which Mr Whitbread had called the attention of the House on the 22d and 25th of November preceding, on which occasions Mr Horner also spoke. (See p. 298.) But this time Lord Castlereagh, the minister more directly implicated, was present; and Mr Horner, in a long speech, entered into a detailed history of the proceedings from the commencement of the negotiations.

'It would be for the noble lord to show,' he said, 'whether the faith of this country, which he had solemnly pledged, had been kept—whether the promises he had made were redeemed. Let Austria, which had, unfortunately for herself, no Parliament

o inquire into the proceedings of her government, answer for her own conduct; but it was incumbent upon the noble lord to justify the part which the British government had taken in this transaction chiefly through his agency. It was for the noble lord to show whether, in this instance, the British government had acted upon the just and liberal principles professed in the celebrated Declaration of Frankfort—upon these principles which the Allies in their proceedings at Congress, in their views of personal aggrandisement, had so shamefully abandoned. These proceedings, however, would remain for discussion. He did not call upon the noble lord to enter into them at present, or to make any disclosure upon the subject which he might deem inexpedient; but he required from the noble lord an explanation of what notoriously took place with respect to Naples.*

Factory Children.—Sir Robert Peel* called the attention of the House, on the 6th of June, to the expediency of some legislative enactment to restrict the labour of children in factories, and moved for leave to bring in a bill ‘to amend and extend an act made in the forty-second year of his present majesty, for the preservation of the health and morals of apprentices and others employed in cotton and other factories.’ Mr Horner supported the motion, and said—

‘That the former measures, and even the present bill, as far as he could understand its object, fell far short of what Parliament should do on the subject. The practice which was so prevalent of apprenticing parish children in distant manufactories, was as repugnant to humanity as any practice which had ever been suffered to exist by the negligence of the legislature. These children were sent often one, two, or three hundred miles from their place of birth, separated for life from all their relations, and deprived of the aid and instruction which, even in their humble and almost destitute situation, they might derive from their friends. The practice was altogether objectionable on this ground, but even more so from the enormous abuses which had existed in it. It had been known that, with a bankrupt’s effects, a gang, if he might use the word, of these children had been put up to sale, and were advertised publicly as part of the property. A most atrocious instance had been brought before the Court of King’s Bench two years ago, in which a number of these boys, apprenticed by a parish in London to one manufacturer, had been transferred to another, and had been found by some benevolent persons in a state of absolute famine. Another case, still more horrible, had come to his knowledge while on a committee up stairs—that not many years ago an agreement had been made between a London parish and a Lancashire manu-

* The father of the present Sir Robert.

facturer, by which it was stipulated that, with every twenty sound children, one idiot should be taken. A practice in which there was a possibility that abuses of this kind might arise should not be suffered to exist; and now, or in the next session, when the bill should be discussed, should meet with the most serious consideration.'

LETTER TO FRANCIS JEFFREY.

'LONDON, 13th June, 1815.

MY DEAR JEFFREY—I had heard of your accident,* but concluded it to be a trifling wound, from Murray making no mention of it. Your epitaph on yourself is the purest specimen of the lapidary style since the death of Cock Robin. You must really leave off these very youthful adventures; at least do not be doubly indiscreet by aping loyalty as well as boyhood.

I am not going to enter again into the argument of the war. It is a dismal subject to talk of with those whom one agrees with about it, and an irksome one to differ upon. We now understand one another's expectations and wishes; the upshot of a thousand accidents will, a few years hence, decide which was more nearly in the right. But there is one point on which I would rather not be mistaken by you. You have an idea that I entertain more admiration and less of hate for Bonaparte than you feel: you have given me a hint of this more than once, though I do not know from what you can have collected it. I am the more surprised that you should make such a mistake about me in the particular instance, for my notions about him are derived very much from my habitual sentiments respecting such personages and characters. I have no admiration for any military heroes, conceiving it to be the least rare of all the varieties of talent; and I have a constitutional aversion to the whole race of conquerors. I never felt any interest in wars, either reading of them or looking on in our own days, except on the side of the invaded; and whether they be Greeks or Persians, Russians or French, my wishes have always been in favour of each in their turn for the success of their defence. You may apply this at the present moment in its fullest force. Bonaparte never had any sympathy or applause from me; besides his belonging to the odious herd of military disturbers of the world, his genius is of so hard a cast, and his style so theatrical, and the magnanimity he shows (which cannot be denied him) is so far from being simple, and is so little softened with moral affections, that I never could find in him any of the elements of heroism according to my taste. Conceive me to hate Bonaparte as you do, but yet to wish

* He had been struck in the eye by a firework on the king's birthday.—L. H.

(as I do fervently) for a successful resistance by France to the invasion of the Allies, and you are pretty nearly in possession of all my present politics. Could I make the future to my mind, "*sponte meâ componere curas*," I would balance the success of the war upon the frontiers of old France very evenly, and would keep up the struggle for power at Paris between Napoleon and the Constitutional party: for that there is something of a conflict and compromise at the present moment between the military chiefs and the partisans of civil liberty seems undeniable; it may last only for the moment, but it is a glimpse of better days. I feel very happy at the distinction conferred on old Lanjuinais; particularly, if it be true, that Bonaparte wished the presidency to be given to that ruffian Merlin de Douay. Though not occupying a place in the foremost rank, Lanjuinais is found at every crisis of the Revolution from the meeting of the States-General; ever moderate, rational, and intrepid. What an enviable old age! to have entered on the struggle for public liberty after fifty, to maintain his consistency through all the horrors and all the disappointments of six-and-twenty years, and when at last there comes another snatch of sunshine, to be honoured with the confidence of every one who thinks France still capable of freedom. My kind compliments to Mrs Jeffrey. Ever affectionately yours.

LETTER TO HENRY HALLAM, ESQ.

EXETER, Saturday, 22d July, 1815.

I thank you very much, and Sir Abraham Elton too, for your kind inquiries after my health. It gave me much regret at Bridgewater that I was forced to be so neglectful of the attentions which I owed him on that occasion. But I was much incommoded then, and have been since I left town, by an attack of a complaint to which I have been subject of late, and which is more an inconvenient illness than a serious one at present. I have been induced to stop here, instead of going with the circuit into Cornwall, in hopes of being made well by a week's repose. I am certainly better already than I was at Bridgewater.

The event that has most agitated me since I parted from you is the death of Whitbread, which you mentioned with sentiments that gave me a real pleasure; for I shall ever respect his memory, and with something like affection too, for the large portion of my life which, in a certain sense, I consider as having been passed with him, and for the impression he had made upon me of his being one of the most just, upright, and intrepid of public men. As a statesman, I never regarded him at all; he had no knowledge of men or affairs to fit him for administration; his education had been very limited, and its defects were not supplied by

any experience of real political business ; but he must always stand high in the list of that class of public men, the peculiar growth of England and of the House of Commons, who perform great services to their country, and hold a considerable place in the sight of the world, by fearlessly expressing in that assembly the censure that is felt by the public, and by being as it were the organ of that public opinion which, in some measure, keeps our statesmen to their duty. His force of character and ability, seconded by his singular activity, had, in the present absence of all men of genius and ascendancy from the House, given him a pre-eminence which almost marks the last years of Parliament with the stamp of his peculiar manner. His loss will lead to a change of this : in all points of taste and ornament, and in the skill too and prudence of debate, the change may probably be for the better ; but it will be long before the people and the constitution are supplied in the House of Commons with a tribune of the same vigilance, assiduity, perseverance, and courage, as Samuel Whitbread. The manner of his death quite overwhelmed me—I could think of nothing else for days together ; nor do I remember, in our own time, another catastrophe so morally impressive as the instantaneous failure of all that constancy, and rectitude, and inflexibility of mind, which seemed possessions that could be lost only with life ; yet all the while there was a speck morbid in the body, which rendered them as precarious as life itself.

Pray give me your speculations upon the present state of France, so problematical, so pregnant with future consequences, for you always improve and correct my judgments, even when we differ most widely ; though we do not agree about immediate means, nor in some respects about the principles which we like to see in action, the thing we both wish for, in the end, is the same—that well-ordered liberty which gives the best chance for general tranquillity, and the only chance for national welfare. It is evident the present state of things cannot be lasting—the occupation of such a country as France by foreign troops. They may be kept there long enough to devastate the surface of the territory, and to keep the Bourbons a few years nominally upon the throne ; but do you believe it practicable for the Allies to accomplish the restoration of that family, and then to leave them to carry on the government with French hands and French guards ? or, on the other hand, do you consider it as practicable for the French to be permanently subjugated by the foreign soldiery ? It may be a long while before the peasantry and the townsmen betake themselves to assassination in detail, but to that horrible extremity I think it must come at last if the Prussians and Russians remain. The geography of France is not very advantageous for *guerillas*, but there are other advantages in the habits of the people, from their discipline and docility. Depraved as the

French are, the reaction of French patriotism will be dreadful and resistless. And I must own that my wishes are decidedly for the deliverance of that country, by the exertions of its own people, from the conquest of their invaders. I am conscious that I can honestly and purely cherish this wish without abating a jot of that wholesome distrust of France which we must always keep up as our enemy in Europe; but along with this distrust I retain also so much of the notions of the old school as to feel persuaded that France, as a separate country, is an essential member of the European system. But how idle it is to speculate when the fate of the world is in the hands of Metternich and Castlereagh!

On the 29th of July he thus wrote to his mother from Bridgewater:—

‘I was within a very few miles, at Exeter, of Bonaparte in Torbay. A number of people went down to get a glimpse of him; and all the worthies of Torquay, and the other watering-places, went out in shoals. Nobody was allowed to go on board; but they were happy to row round the ship at a little distance, and catch a sight of him as he walked the quarter-deck. How little did we dream of the possibility of such a change when we were at Torquay! He was then in the midst of his plans and preparations for the invasion of Russia, the most wonderful of all his exploits, after all, though it led directly to his fall. The only thing worth noticing of what I have heard respecting his behaviour on board the Bellerophon is, that he never made any allusion to political events.

You will believe I am much pleased with your accounts of Whitehouse,* and Anne and the children, and the happy time you and my father have been spending with them. You cannot be too minute or too frequent in such accounts when you have leisure to report them to me at full length.

I was in hopes, when I began this letter, that I should have time to write to Fanny at least, if not to others of the family, to all of whom I am in debt. But I must still put off payment, for I have some work to do. By way of compensation, and a great deal more, I will enclose for you and them a letter to peruse, which you will particularly like, as it is full of *horrors*! It is from Charles Bell, giving me some account of his visit to Brussels, where he had the spirit to go for professional instruction, among the wounded, after the battle of Waterloo. It is written with great feeling, and with much genius too for observation, under the most overwhelming circumstances. Send it to me again with great care, for I should be sorry to lose it.† My kind remem-

* My own residence near Edinburgh, to which I had recently removed from London.—L. H.

† The letter contains these passages:—‘It is impossible to convey to you the

brances to my father and *the whole lot*. Ever most affectionately yours,

FRA. HORNER.

EXTRACTS FROM LETTERS TO MISS HORNER.

'Bowood, 26th October, 1815.

I told you I was reading "Don Roderick the Goth;" and notwithstanding the romance of the original story, it was with fatigue that I got through it. I am not surprised that the book has had a run, because there is a romantic story, and because it is seasoned with methodistical cant to the taste of the times; but that the work should be commended by any person of cultivated taste, as it has been, seems to me strange. With the exception of a few passages of mere description, I found none containing much poetry; and such as there is, little more than a string of the images and expressions that are familiar to every reader of the poets.

22d Nov.—I met the Chevalier Canova a second time at Holland House a few days ago, and it was indeed a most agreeable day. The other artists we had to meet him were Wilkie and Westmacott, but he was himself the only person that anybody thought of. He talked a great deal, partly in French, which he pronounces very ill; partly in Italian, which, I am told, he speaks also as a provincial, for he is a native of Venice, but always with animation, spirit, and cheerfulness. I told you of his looks—a fine forehead, with sunk, mild eyes. His manners are simple and easy, perfectly in the tone of good company. His brother is with him, the Abate Canova, a man of learning and classical attainments. They live constantly together; and their habit is, that the abbé reads to Canova, while he is at work with his chisel, out

picture of human misery continually before my eyes. What was heartrending in the day was intolerable at night; and I rose and wrote, at four o'clock in the morning, to the chief surgeon, Gunning, offering to perform the necessary operations upon the French. At six o'clock I took the knife in my hand, and continued incessantly at work till seven in the evening; and so the second day, and again the third day.

All the decencies of performing surgical operations were soon neglected. While I amputated one man's thigh, there lay at one time thirteen, all beseeching to be taken next: one full of intreaty, one calling upon me to remember my promise to take him, another execrating. It was a strange thing to feel my clothes stiff with blood, and my arms powerless with the exertion of using the knife; and, more extraordinary still, to find my mind calm amidst such variety of suffering; but to give one of these objects access to your feelings was to allow yourself to be unmanned for the performance of a duty. It was less painful to look upon the whole than to contemplate one object. * * *

It is a misfortune to have our sentiments so at variance with the universal sentiment; but there must ever be associated with the honours of Waterloo, to my eyes, the most shocking signs of woe; to my ear, accents of intreaty; outcry from the manly breast, interrupted forcible expressions of the dying, and *noises* *smells*!

of some Italian classic, or translation of the ancients. This sounds very amiably, and like complete friendship.

He was naturally led to talk of Napoleon, and he was pressed to tell us something of those scenes of familiar intercourse which that personage usually permitted himself to indulge in with Italians, though never with Frenchmen, and which he was known to permit especially with Canova. He told us that Napoleon conversed with him in the Venetian dialect, which he was fond of, a circumstance which of itself would render their conversation more equal and familiar, and was probably so intended. He urged him to settle at Paris; but this he declined, saying he should die of cold in less than a year. I have heard that he added another reason—that he was not qualified to vie with the Parisian artists as a courtier; but this he did not repeat to us.

CHAPTER XIII.

AGE, 38.—1815–1816.

Differences with his Friends on European Politics—Collins's Ode on the Highland Superstitions—The Alisons—Education the Protection against Political Wrongs—Dugald Stewart and his Preliminary Dissertation—The Crisis and the State of Property—Sitting of Parliament—Discussion on the Treaties—National Monument to the Battle of Trafalgar—Financial Economy—Irish Grand Jury Laws, and Horner's Plans of Reform—Speech on the Policy of the Government in the Restoration of the Bourbons—Napoleon at St Helena—Alien Bill.

In the midst of the momentous events of this year he seems to have felt everything that occurred, however remotely it might be connected with himself and his lot in life, more as a party than a mere politician. As he felt keenly in all these matters, it was a corresponding vexation to him to find that the friends with whom he was accustomed to share his confidence and his opinions formed on some of these subjects opinions differing essentially from his own. Thus on 28th November he writes to Mr Murray:—

‘It was a very painful circumstance in my last visit to Scotland, from the little politics I talked with anybody, to find myself so far asunder from my best friends in our views of foreign affairs. To me it is losing the chief relish of life not to feel alike with them upon things which make us all feel strongly. And I have laid nothing so much to heart for many years, as the difference which I imagine exists among us respecting the nature and character of the present crisis of European politics. All the opinions which I have ever cherished seem on this occasion concentrated,

and all the principles which have been gaining strength and confirmation in my mind every year of my life seem put in peril at once. It is a question whether all the good fruits of the French Revolution, dearly and cruelly as they have been earned, are to be lost to France; and whether it is not to be settled in the instance of that country, that the greatest and most civilised people may, by the confederacy of courts and the alliance of armies, be subjected to the government of a family whom they despise and detest. It is a question whether the very first principle of slavery, that the people are the property of certain royal families, is not to be established as a fundamental maxim in the system of Europe; and whether the vital principle of our English liberty and our revolution is not to be antiquated as a Jacobinical heresy by the force of English arms. The degradation of our army in being the main instrument of this warfare against freedom and civilisation, the stain upon the national name in making so ungenerous a use of our triumph over our rival in arms, our keeping the *police* of Paris to protect the Bourbons, while they are murdering with judicial forms those who tried the fortune of war with us, and to whom we in words, and they by fact and deed, gave warrant of an amnesty. These are incidental subjects of grief and shame, which imbibed the pain with which one contemplates the course of events, and which will leave wounds upon our honour, even if the future struggle should take a favourable turn. But the struggle to which I look is that of the French people against the Bourbons and against the confederate sovereigns. And the most anxious and the most depressing reflection that perpetually recurs upon me is the conviction that, for the success of this great contest, the principles of liberty must rely for their principal support upon the enlightened men of England, while most of these are not yet awakened to a sense of what is doing, and of what the consequences will inevitably be.'

EXTRACTS FROM LETTERS TO MR THOMAS THOMSON.

‘WOBURN ABBEY, 29th November, 1815.

I wish you would write now and then, were it only to keep me in the knowledge of the sentiments and impressions which are produced in you by these dreadful events of our time. I never feel comfortable when any of these turns of public affairs take place, till I know the opinions of about half-a-dozen friends in different parts of the world. This treaty of peace, as it is called, and the novel engagements which our government has imposed upon us, form a crisis in the policy of England and Europe which will bring to the test both the principles of men and their nerves. I anticipate, at no great distance of time, a much more violent difference in political sentiments than we

have experienced since the peace of Amiens; and as far as I have yet been able to judge, though my means of information are very limited, I expect that in the country (whatever there may be in Parliament) there will be but a small minority who will see things in what I consider the true light, unless some reverses of fortune or some disasters reaching ourselves correct the public feeling. I say *correct*, for it is the illusion of military success that seems to have blinded many who used to be guided in their judgments of foreign politics by some regard to justice and to the cause of liberty.

I have made out the history of those supplementary stanzas in Collins's "Ode on the Superstitions of the Highlands" which puzzled us. They are a mere fabrication. Mackintosh, who told me the story, would not mention the man's name; but it was a very low northern littérateur, who, about five-and-twenty years ago, published at Cadell's shop a new edition of that ode, as from another manuscript, with all the blanks and vacancies supplied. The additions were one and all a forgery of his own, of which he boasted to Mackintosh. The man is dead. This piece of literary history ought to be made known; for the forgery has not only crept into the edition of Collins which I showed you, and that is part of a general collection, but also into the large body of the English poets published by Chalmers.

I met lately with two volumes of "Travels in France," published at Edinburgh, which the bookseller told me was the work of one of the young Alisons. I found, upon the perusal, that the two volumes were the production of different hands. In the volume by Alison there is much very interesting matter, a great deal of heart and liberal sentiment, some occasional power of expression, and all through a settled regularity of copious and elegant composition, very Scotch in the cast and all the thinking of it; but very good, for all that, upon the whole. You must let me know which of the Alisons it is, the doctor or the advocate.* There is great promise in this first performance; and though there are a hundred points on which I should be inclined to think the author rather less liberal than he ought to be about France, it is the work of a man whose sentiments cannot be long or much deficient in refinement or elevation. If I am not mistaken, I could put my finger on some passages of a diffuse and mystical elegance, more remarkable for unction than strength, which I would ascribe to the father. * * *

I paid a visit lately, in company with Whishaw, to Mackintosh, at Weedon in the vale of Aylesbury—the ugliest country perhaps in England. But he is living comfortably, and I should

* I am informed that both contributed to the second volume—Dr W. P. Alison, and Archibald Alison, Esq., the author of the 'History of Europe from 1789 to 1815.'—L. H.

think very happily, free from the hectic fever of London idleness, and working just enough to keep him in regular spirits. He told me he expected, before the meeting of Parliament in February, to have nearly finished the reign of "King William;" but it rather surprised me when he added that this would not form more than between a fourth and a third of his first volume.

2d December.—Political matters are worse since I wrote my last letter. The treaty of anti-Jacobin confederacy has not only realised all the apprehensions which filled me then, but avows audaciously the design of suppressing, by royal combination, all attempts in all countries to improve their political institutions. Translate their phrases, and you have their avowal of all this in plain terms. And to show you how far these sovereigns are disposed to carry their practical application of the principle, the emperor of Russia said at Paris to a man whom I know (an Englishman), that from the symptoms that appeared in the Prussian army, he did not know but he should very soon have to perform the same service for his brother of Prussia at Berlin which he had already rendered to Louis in France.'

In writing to Mr Bannatyne of Glasgow, with inquiries as to the circulation of books by itinerant retailers in the west of Scotland, he says—'I know of no protection for us against the designs which the confederated kings have now plainly avowed, of resisting, by a standing combination among themselves, every movement that tends to the reformation of abuses or the extension of liberty, except that which may be found in the effects of knowledge steadily and solidly diffused through the great body of the people.'

In more than one of his letters at this period Horner expressed in strong terms his admiration of his friend Dugald Stewart's preliminary dissertation to the 'Encyclopædia Britannica.' In a letter to the Duke of Somerset he says:—

'TEMPLE, 16th December, 1815.

MY DEAR LORD DUKE—I hope you have by this time read Dugald Stewart's preliminary discourse to the new Supplement, published at Edinburgh, to the "Encyclopædia Britannica;" because it must have afforded you much pleasure, from the magnificent survey which he takes of the history of human knowledge in several of its most important branches, and from the splendid eloquence and choice details with which he has rendered attractive and interesting even the progress of metaphysical doctrines. It seems to me written in a freer spirit of criticism, and more copiously ornamented, than any of his former compositions; yet the ornaments are not excessive, but give the work a character of majesty and richness quite appropriate to the height of his sub-

ject. The work has still another charm for me, borrowed from the times in which it has made its appearance. It is the tendency of all Stewart's writings to impart to his reader a sanguine belief in the real progress which practical knowledge and human improvement are steadily, even when most imperceptibly, making through all the political troubles and all the philosophical follies which at particular periods seem to throw everything back into its original disorder and ignorance. In none of his former treatises had he so direct an opportunity of proving and illustrating this pleasing opinion. And I have been seduced, perhaps by his eloquence, but by what I feel at present like unanswerable arguments, to apply even to the dismal prospects of our own days that confidence in the ultimate prevalence of truth and liberty which he extracts from the struggles of the Protestant Reformation, and from the whole subsequent history both of opinions and of legislation in Europe. If this should prove an idle hope, at least it ministers some present relief; and if all these promises about the future are visionary, I for one would not forego the luxury of dreaming now and then, and escaping for a while from the realities of the age in which we live.'

In the same tone he says in a letter to his younger brother—'It is like going into another climate, to pass to the serene and great prospects which he gives to the eye, and over which he spreads so many beauties of detail and so much sentiment, from the factious fever or flippant ingenuity which are so much the mode among his contemporaries.'

LETTER TO MR MURRAY.

'GREAT RUSSELL STREET, 18th January, 1816.

I am not surprised you should tremble in these times for any man who has gone largely into speculations for the improvement of land; and as far as my knowledge of him enables me to form a judgment, I should agree with you in thinking your friend not the most likely to be wary and cool in such speculations. But what has happened lately must bring the most sanguine to their senses. It requires but a superficial observation of what is passing to be convinced that, independent of the check which all eager enterprise in the employment of capital must occasionally meet with from its own excess, there was for some time an artificial state of prices and credit in this country, which (even if it could be revived once more for a little while) cannot be much longer maintained; and that our unexampled wars have made an encroachment upon the substantial wealth of the whole body of the people, which could not fail at last to become visible to the dullest eye, and be felt everywhere. The distress, as a national one, will soon, I believe, pass off, except in what regards the

finances of the government; because the real wealth that is accumulated and remains is immense, and is shifted and applied with a promptitude and confidence never known among any other people. But the present crisis must be felt severely by individuals, and as in the progress of our artificial opulence there was much derangement of property, and many a sudden as well as unjust transfer, something of the same sort is to be expected while things are falling back towards a more natural state. I believe it to be very fortunate for us that they have been forced back so soon, and in a manner which, to me at least, was wholly unlooked for. For, if I am not wrong in my way of seeing it, it is the very prosperity and improvement of the country in its first of all branches, the agricultural, which has wrought the sharp but sure remedy for all the errors of our policy. What I mean is this. The great exertions made in husbandry have at length given us so large an annual produce, that for three successive years (no one of which has been very remarkably fine) we have had some surplus of our own growth. That surplus, in the comparative state of our prices and those abroad, could not be sold to any foreign consumer. The smallest surplus, it is well known, if thrown back upon the market, and kept there, may depress it almost indefinitely. The great fall of prices we have experienced brought a very sudden embarrassment upon the farmers and proprietors. This not only alarmed all the reasonable bankers in the provinces, but actually withdrew great part of the foundation upon which both the reasonable and the foolish bankers had so long maintained their large issues of country paper. By far the greatest banker in the west of England told me the other day that their circulation was not now much more than a fourth of what it had been. The reduction in the quantity of money has been followed by a fall in the nominal price of the precious metals, an improvement of all the exchanges, a fall in the wages of labour, and one after another of various commodities, some being reached much sooner than others. Here, then, we arrive at a point at which matters begin to take a favourable turn; the low money price which the grower gets for his corn being already a better price in reality than the same money price would have been while money was more abundant. Unfortunately things cannot go quite round, at least not smoothly. The public debt that was contracted while the money was abundant and low priced, and the taxes that must continue to be raised to pay the interest of that debt, will still make our expenses of cultivation so high, that we cannot grow corn for the price of the foreign market; so that it would seem that, as long as the expenses of cultivation are kept up to that rate, we must, in order to secure our farmers a fair price, grow less than we actually can consume ourselves. Tell me how many blunders there are in this deduction—of course I have stated it

but roughly. I need not add that the only practical measure to which I can look, as holding out any promise of easing the present suffering, would be such a reduction of establishments as would render it practicable for the government, without violating any of its engagements to the public creditor, to remove a large proportion of the taxes that press most directly and heavily upon the capital employed in cultivation.'

Parliament met on the 1st of February, and an amendment to the address to the Prince Regent, on the first day of the session, was moved by Mr Brand, and seconded by Lord John Russell—that it was the duty of ministers to have convened Parliament with the least possible delay, for the purpose of communicating those important treaties with the Allies, and with France, which, after having been acted upon for several months, were then about to be laid before the House; and pledging the House to a speedy revisal of the civil and military establishments, according to the principles of the most rigid economy, and a due regard to the public interests. This amendment was supported by Mr Brougham, Lord Milton, and Sir Samuel Romilly; and after the latter sat down, Lord Castlereagh spoke in support of the address. Mr Horner then rose and said—

'The noble lord who had just sat down had stated that the House, in acceding to the proposed address, would pledge themselves to approve of the peace, as being more glorious than any which had been obtained at the close of former wars. Against this proposition he must protest. He understood the address to congratulate the Prince Regent on the peace, and on the unrivalled successes which had blessed his majesty's arms in the progress of the war just concluded; and without any reference to party, he thought no man who felt as an Englishman could do other than exult in those triumphs which had placed the military character of this country on a pinnacle which it had never before reached. He could not, however, give the peace the unqualified approbation which the noble lord seemed to expect till the treaties were before the House. When these were examined into, he should be glad to find that the peace was really one which, while it gave other advantages, sustained at the same time the British character for good faith. He had no doubt the noble lord thought it merited this praise; but from some rumours which had got abroad in Europe, he should feel it to be his duty to look closely into it, to satisfy himself that in this the noble lord was right. With respect to the commerce and internal state of the country, he should reserve himself till the necessary papers were before the House, and these were subjects which he should be careful not to mix with the questions of peace and negotiation. He was aware the conclusion of a war in every community, more

especially in one so complicated as that of England, must create some temporary distress; but he was afraid that which was now complained of would be found to bear another character, and that the remedy would not be easily supplied. He trusted the minister was not disposed to propose, or the House to adopt, any new departures from the principles of our ancient laws and policy. He was led to make this remark from a suggestion thrown out by his honourable and learned friend with regard to an alteration of some of the existing laws. The present amount of the taxes he believed to be the source of the evil complained of, and this could never be remedied but by going to the root of the present system of taxation. He agreed with the noble lord that whatever pressure might be complained of, it was desirable to leave the sinking fund unbroken and unimpaired. But if this were suffered to remain untouched, how were the public burthens to be diminished? By economy alone. It was not to be effected by economically taking off two or three hundreds from one item, or two or three hundreds from another, but by the introduction of the most rigid economy into all departments, and by reducing, where it was practical, the military, civil, and financial departments. He hoped, in the course of the present session, that ministers would not come to Parliament to ask for an increase of emolument for any of the public officers. He trusted they should not again hear of an addition to the salary of this lord advocate of Scotland, or that commissioner of Excise, nor an extended provision for this or that branch of the royal family. He hoped the House would be careful to make ministers attentive to economy; that, by timely retrenchment, the difficulties complained of might be met, and that the nation would never be forced to the last and most desperate expedient—that of breaking its faith with the public creditor. He should conclude with declaring that, for the present, he would give no opinion on the character of the peace.

Battle of Trafalgar.—On the 5th of February Lord Castlereagh moved that an address be presented to the Prince Regent, to represent that the House was desirous of commemorating the splendid achievements of the British navy during the late war, by erecting a national monument to its most signal and decisive victory in the battle of Trafalgar. Mr William Dundas differed in opinion from the noble lord, and proposed that a monument, or monuments, should be erected to commemorate all their naval victories during the late wars: upon this Mr Horner rose and urged the propriety of a selection:—

‘And if there was to be a selection, on what victory could we fix so properly as upon that of Trafalgar? It was undoubtedly the greatest in our naval history, in whatever point of view it was considered. It was not only transcendently great from the skill

and heroism displayed, but important from its political consequences; it carried the naval renown of this country to a height it never before had reached, and left us not only without a rival, but without an enemy to contend with on sea.'

Peace Establishment.—On the bringing up of a Report of a Committee of Supply on the 13th of February, and the Chancellor of the Exchequer having moved that the resolutions should be read, Mr Wynn expressed his entire dissent from the financial plan which had been developed the preceding night by the Chancellor of the Exchequer, as well as from the whole scale of establishments there laid down; for it was a war establishment under the name of peace. He was followed by Mr Barclay, who said that as he was one of the first to concur in the enactment of the property tax at a moment of national exigency, so he was now among the foremost of those who called for its repeal when the necessity for its enactment no longer existed. After he had spoken at some length, Mr Horner rose and said—

'He would take that opportunity of asserting that the people could not be relieved from their present appalling difficulties in any other than one way—namely, by a reduction of the proposed peace establishment. It was in vain to listen to the suggestions of those who recommended a little loan; suggestions which, by the way, might be merely intended to sound the House upon the practicability of such a mode of proceeding. All this was a plain and palpable delusion; the difficulties of the country were most urgent and pressing, they must be met; and if ministers could show that there really existed a necessity for the maintenance of the proposed system, he for one would not hesitate to vote for the property tax. But he was firmly satisfied they were totally incapable of establishing that necessity. He had indeed consented to the enactment of that tax during the war, although persuaded of its odious, oppressive, burthensome, inquisitorial character, because he felt the force of that policy which compelled its existence. Those times had now passed away; and the real question for the Commons of England, in the exercise of their sacred trust, was at once to say ay or no to the momentous proposition now submitted to their consideration. Was it necessary to support 50,000 troops for the British Isles? Was it necessary to erect a peace establishment of 150,000 men? In his opinion he would reply no; and he would affirm and maintain that negative through every part of the details which it was said were to be forthcoming. The situation of the country was not what it had been but a few years ago. Was the necessity of defence, he should ask, greater or smaller than at the period to which he would allude? France, at the close of the American war, had a navy almost at our shores, and superior perhaps to the fleets destined for our protection. Spain and Holland had also a maritime strength of no inconsider-

able magnitude. All these external considerations had happily disappeared; the safety of our colonial settlements was also placed on a steady footing; and yet the country was required to keep up a military force of an enormous and most unexampled extent. If such a peace establishment as this were listened to by the people of England, he would predict, from a measure so alien to their system, the downfall of their liberty and constitution in a very few years. It was nothing less than a project to alter the uniform policy of Great Britain, and to amalgamate her character with that of the military states in Europe, by a total subversion of the principles of her constitution. From her insular situation, she was by nature a naval and maritime state; and to the preservation and cultivation of the advantages necessarily belonging to that state she was paramountly bound to adhere. She might, indeed, be dazzled with the newly-acquired glories of her army; she might take her rank with the despots of the continent; but in vain could she expect to prolong the native pride of her free character. The two systems were incompatible. Either the government or the military establishment must give way; and when the question was a struggle for ascendancy, between liberty and the constitution on one hand, and power and despotism upheld by a military establishment on the other, the warning experience of history proclaimed that the struggle was short, and the termination most ruinous. Independently of these, to him conclusive reasons against the adoption of the present measure, the financial state of the country presented an unanswerable argument on the same side. He would therefore protest against it altogether, and insist that it was a mere delusion to talk of expedients, and to hope for a diminution of burthens, if the proposed establishment was to be maintained. If the people were to hope for relief, they had but one chance of having their expectations realised—and that was, by a reduction of the peace establishment.'

Irish Grand Jury Laws.—On the 14th of February Mr Horner brought under the consideration of the House a measure of great importance connected with the administration of justice in Ireland, to which he had for some time devoted his attention. He stated that an extraordinary practice prevailed, in the proceedings of the grand juries, of finding bills of indictment upon the mere depositions obtained from witnesses by the magistrates, without any resort to parole evidence, and that this practice was established over the greater part of Ireland: that it was not of recent growth, but almost as ancient as it was universal; for it had prevailed so long, that the records of the courts scarcely reached back to a time when it did not exist: that it was almost unnecessary to say how different this was from the practice that prevailed in England, where the witnesses of the prosecutor were

sworn and examined before the grand jury: that the common law of England and Ireland were the same; and that, in determining what was proper to be done, we had only to inquire what was the law of England; and though an opposite practice had been long established in the sister kingdom, the length of usage was no sufficient bar against a return to the punctual administration of it: that by this practice Ireland was deprived of a most important privilege; and there was nothing that could be more essential to the interests and rights of those individuals who were exposed to trial, whether justly or unjustly, than restoring this privilege: that, for this purpose, there would be no necessity for an enacting statute, but merely for a declaratory one: that any other, besides being useless, would have the appearance of altering the common law of the land. He concluded by moving 'for leave to bring in a bill to declare the law for the right proceeding of grand juries in Ireland upon bills of indictment.'

The bill was strongly opposed by the judges, and by many eminent lawyers in Ireland, and was in consequence retarded in its progress; but it passed into a law before the close of the session. It was the last measure which Mr Horner originated in Parliament, and was one to which he attached great importance.

In a long letter to Mr Murray, after-detailing the circumstances which induced him to take an interest in this subject, he says in continuation—

'When I brought on the bill, which I made declaratory in its form, avoiding all offence in the preamble, I met with no serious opposition; government acceding to its propriety and necessity. The judges employed a gentleman, who is come in for Armagh as Dr Duigenan's successor, a retired barrister, to urge their objections and their authority against it; but he showed no knowledge or ability, and was not even worth answering.

Lord Castlereagh urged me to admit a clause into the bill by which the judges are permitted to give the grand juries the use of the depositions, in order to guide them in their examination of the witnesses, as well as to enable them to detect prevarication and perjury in the grand jury room. I did not relish this; because what the judges have maintained against every principle of law is, that these depositions, though no evidence to the petty jury, were good lawful evidence to the grand jury. I was afraid, therefore, of compromising the principle of my bill; but he and other Irishmen urged so much the difficulties their grand juries would at first experience, and the danger of perjury being multiplied and crimes compounded, if witnesses for the crown knew that they might with impunity unswear in the grand jury room what they had sworn before the magistrate, that I found myself under the necessity of consenting to this clause; but I

insisted, at the same time, upon guarding it with words that should expressly negative the doctrine of the judges, as to these depositions being in any point of view lawful evidence, or to be used as such. And so the bill passed. I happened to be on the steps of the throne one day when Lord Ellenborough came to tell me he had just been reading it, and he saw nothing to object to but one clause; this was Castlereagh's clause, and I told him so: he said he disliked giving these Irish gentlemen any rope, they were so apt to swing too far. * * *

It is likely enough that some difficulties will be found, and some made, in the first application of a law which both the judges and the grand juries dislike; the former, because it has been thrust upon them, and carries by implication no inconsiderable censure upon their past administration of the penal law; the latter, because the more careful performance of their duty, as a grand inquest upon bills of indictment, will keep them from proceeding at once to their more agreeable function of voting money to themselves for their roads and other jobs. One indirect benefit that will be derived from my act is, that it will render some new arrangement indispensably and immediately necessary with regard to the business of these money presentments, which ought never to have been coupled with the proceedings of the assizes. But the chief advantage and main argument for the bill lies in its principle, by which a more solemn and deliberate administration of the law, in those proceedings which affect the lower orders, and are laid open to their inspection, will by degrees be introduced and enforced. This is one only of many legislative measures that are called for with the same view. One of the great sources of disorder and violence in Ireland is admitted to be the habitual want of reverence and submission to the law that prevails among all classes of the community; and it must be owned, when one comes to see in detail how the most important institutions provided by the law, for solemnity and for the protection of innocence, are slighted and perverted, wherever the selfish interests of the squirearchy (as it has been humorously called) come in competition, and how the most palpable corruptions and abuses are screened by the prejudices of the lawyers, one can hardly wonder that the law and the government in that country are so little revered and obeyed. The vindictive power of the criminal law, and the rapacity of civil justice, are well known to the peasantry and the rest of the lower orders; but it is only as a punisher and oppressor that it is known at all. I believe there is no particular, in police or administration, in which the present situation of Ireland differs more from that of the whole of this island. Let me at last release you from this volume of a letter.'

Treaties of Peace.—On the second day of the session Lord Castlereagh presented to the House, by command of the Prince

Regent, the 'General Treaty, signed in Congress at Vienna, June 9, 1815, with the Acts thereunto annexed;' and on a subsequent day, the Definitive Treaty concluded at Paris on the 20th of November 1815 with the king of France. On the 19th of February, in moving an address of Thanks to the Prince Regent for these communications, he entered into a full exposition and defence of the policy of the allied powers in the arrangements which took place at the Congress of Vienna, in the whole course of the measures which led to the commencement, the prosecution, and conclusion of the war, occasioned by the return of Bonaparte from Elba, as well as the subsequent negotiations of Paris; and he characterised the proceedings of the Congress of Vienna as being only a definitive arrangement of the treaty of peace concluded at Paris in May 1814. He ended by moving a series of resolutions, expressing the satisfaction of the House with the terms of these treaties, and more particularly 'that it had been found practicable to combine the measures which Europe owed to its own safety with a just and liberal policy towards his most Christian majesty.'

Lord Milton moved, as an amendment, a series of counter-resolutions, condemnatory of the policy which had been pursued, and of the terms of the treaties which had been concluded. This amendment was supported by Sir James Mackintosh in a long and able speech; and after he sat down the debate was adjourned. It was resumed the following day, when Sir Samuel Romilly followed on the same side, reprobating especially the establishment of Louis XVIII. on the throne of France by a military force against the will of the nation.

After several other members had spoken, Mr Horner rose, late in the evening, and delivered a speech in which he maintained that both throughout the war, and in the treaties which followed, the main object of our statesmen 'was to place a monarch upon the throne of France without any regard to the laws, the liberties, or the wishes of the people.' As an antagonist of this principle, he maintained 'that whether the Revolution in France was good or bad, whether it had contributed to promote the liberties and rights of the nation or not, it could not be denied that there had arisen out of it a state of things which could not be altered, a spirit which could not be entirely extinguished. If the restoration of the Bourbons proceeded upon the supposition that everything was to be restored to its former condition, and that every new interest was to be destroyed, the project could not be realised; and those who entertained it were not aware of the obstacles they would have to encounter in attempting its execution. Everything was changed in the Revolution: property had been transferred to new hands—the people had acquired new ideas—the privileged orders had been abolished, or their claims

reduced—political institutions were altered, and a new distribution of political power had established a spirit of inquiry, and a disposition to discuss the conduct of rulers was everywhere diffused. It was difficult to calculate the power of these changes. We might guard against the effects of them, but we could not bring things back to their former situation. Happily this was not necessary for our security, as it certainly was not practicable in its execution. The real security which was required from France, after the destruction of that military monarchy which oppressed the greatest part of the continent of Europe, combined the integrity of that kingdom with the establishment of a government agreeably to the wishes, and deserving of the confidence, of the people.

This speech is described by Sir Samuel Romilly in his *Diary* as having been 'admirable;' and I am informed that the Speaker, the late Lord Colchester, said of it that it was "most powerful, argumentative, and profound, and altogether one of the most able speeches he had ever heard in that House."—L. H. It elicited some congratulatory letters from Horner's personal friends. It will be found reported in '*Hansard's Debates*.'

LETTER TO HENRY HALLAM.

'SIDMOUTH, 17th March, 1816.

I fancy you will not agree with me in being sorry to see that nothing has been said by anybody upon the bills relating to the prisoner at St Helena, expressive of a regret that it was cast upon this country to execute so odious a part of the arrangements to which the victory of Waterloo has led. You know all my sentiments about the man, how little I share any of that admiration which his extraordinary fortunes and character have imposed upon some persons, and how much I execrated all along his tyranny and military ambition, and enmity to all civil liberty. At the height of his power, I expressed myself more strongly against him than I should permit myself to do publicly now. In the treatment he has met with, I feel no inclination to deny that the sparing of his life is an act of humanity, such as is not recorded of any of those former ages in which such characters and events are to be found: yet I cannot but feel, at the same time, that when a few years more are gone by, and we can all look back upon these transactions from some distance, it will be our regret and mortification that the government of this day could see no safety for Europe against a single man but in transporting him to a rock in the ocean, and that, in leaving him his life, we have taken all that can make life anything but a torment. I do not mean to make a stronger imputation than that we have been wanting in magnanimity, where the opportunity was obvious

and commanding. But this country has reached too high a station to be at liberty to miss such opportunities. Our virtues must rise with our fortune, or we shall be thought to have been unworthy of it: a large and secure generosity is one of the conditions by which we are to hold our greatness. Instead of this, we have treated our captive with the timid severity of a little republic, and have lowered ourselves to the notions of our despot allies, who know nothing of safety but in force and bonds. Perhaps some years hence, at the point of view which I anticipate, I shall soberly discover all this to be a romance. I can say, without any affectation, that I shall have pleasure in seeing the glory of the country clear of the stain which I think I see upon it at present. Do you hear anything of Canning's coming into office? I wish he were back in the House of Commons; it would refresh one's mind to hear something like eloquence again, and to see a man at work who, with all his faults, owes his means of greatness to his power in that House. His faults, it must be owned, and especially his late errors, are miserable.'

Alien Bill.—Lord Castlereagh, on the 25th of April, moved for leave to bring in a bill to repeal the act of the preceding session respecting aliens, and to substitute other provisions, for a time to be limited, in lieu of it. He said, 'that although tranquillity in Europe had been restored, the situation of the British empire was still such as to require precautions against the possibility of the disturbance of internal security. That the crown, in truth, possessed the right of sending aliens out of the realm, on suspicion that they were concerned in practices dangerous to the state; but it had been thought wise, since the time of Mr Pitt, to arm the executive with the countenance of the legislature.'

Mr Horner immediately rose and said that he should in the very outset give such a proposal his decided negative. He denounced the measure as unconstitutional; as contrary to the ancient and wholesome system of policy, which treated strangers with liberality and confidence; and as inflicting upon the national character a lasting reproach. He declared it, moreover, to be unnecessary, because the operation of the common law would be a sufficient remedy for any misconduct of which aliens in this country might be guilty.

He again addressed the House against this measure on the 29th of April and on the 10th of May, when he maintained that it was a measure for the protection, not of the people of this country, but of the thrones of foreign despots. He perceived in it a measure which foreign courts would not resist, for it was for their benefit, though not for that of their subjects, whom it would aid them in prosecuting, by giving facilities for 'hunting them from one end of Europe to the other.'

Bank of England.—On the 1st of May he moved for the appointment of a select committee 'to inquire into the expediency of restoring the cash payments of the Bank of England, and the safest and most advantageous mode of effecting it.'

In his speech on this occasion he attacked the proposal of renewing the Bank Restriction for two years, and said 'he doubted the sincerity of the professions which had been all along made by ministers, of their desire to effect the renewal of the cash payments. The professions of the ministers had always been, that at the termination of the war the restriction should cease. Yet now, after the enjoyment of peace in reality for nearly twelve months, and six months after the ratification of the definitive treaty, the House was called on, as a matter of course, to continue the restriction, not for such a short period as would enable the Bank to make arrangements for the renewal of their payments, but for a period of two years. This they were requested to do, without any one step being taken to facilitate the resumption of cash payments. Looking, therefore, to the manner in which his right honourable friend the Chancellor of the Exchequer had proposed the measure, he entertained very great doubts of the professions of ministers. But if he felt a doubt with respect to ministers, no doubt whatever existed in his mind with respect to the Bank of England. Were they not told year after year, until they scarcely could hear the declaration with gravity by gentlemen connected with the Bank, that their not resuming their cash payments was all a matter of compulsion—that it was against their system—that nothing was so painful to their feelings as their being prevented from paying their notes of every denomination in gold and silver? He always thought, if it were a measure of compulsion, that never was resistance so weak as that which was opposed to it by the Bank. And he was of opinion that if they were really desirous to renew, as soon as government would permit them, their payments in silver and gold, they had given, under the resistance which ministers opposed to their wishes, an example of the passive grace of fortitude which never had been exceeded. Therefore from this day forth he should think, whatever professions that body might please to make, that they would be very well contented to enjoy all those vast and almost incalculable profits which grew out of the adoption of this measure.' The speech will be found at length in 'Hansard's Debates.' The motion was rejected, the division being 73 to 146.

LETTER TO MISS ANNE HORNER.

'LONDON, 20th May, 1816.

MY DEAR NANCY—I have been passing Saturday and Sunday at Mr Sharp's at Mickleham, with Mr Grattan, and it was a very

agreeable excursion. I went and returned with Mr Grattan, whose conversation about Ireland, and especially the past history of Ireland, as well as upon literature, is full of interest and genius. He has been giving me to-day as we came to town the history of what was done at the famous period of 1782; and he made me acquainted with some parts of that great transaction, and particularly his own share in it, which I did not know before. This little excursion was on purpose to hear the nightingales, for he loves music like an Italian, and the country like a true-born Englishman. Both beauties are in full perfection at Redley, where there are more nightingales in chorus than are to be heard anywhere else. He is full of English and Latin poetry too, and deals very much in passages from both, when he is at his ease; which, with his ardour for Ireland, and his characteristic sketches of persons with whom he has acted in public life, and a great deal of fun and benevolence, and sense about all things, make him a very entertaining companion. At the age of seventy, too, for I fear he is nearly as much, and with the veneration that belongs to his name, from the figure he has made in our politics, it is impossible not to take a deep interest in one who renders himself so accessible and so instructive.

I have read the "Antiquary," which is inferior as a story to the other two, but indeed they are all very indifferently executed in that respect. The scene at the Country Post-Office is admirable; the humour very true and lively, and poor Jenny Caxon's disappointment quite touching. But the Fisherman's Family is the real interest of the book; and I have forgot if there is anything in "Waverley" or "Guy Mannering" equal to it. The old woman is quite sublime till she is awakened to tell her story, and then she becomes commonplace; but her dotage and melancholy are terrifying. The funeral is very affecting; and particularly that stroke of nature where the mother looks for some relief from her sorrow in a *flyte* with Miss Grizzell at Monkbarns. The Gaberlunzie seems to me exaggerated and inconsistent, and a bad copy of *Meg Merrilies*.

CHAPTER XIV.

AGE, 38-39.—1816-1817.

Symptoms of Declining Constitution—Last Appearance in the House of Commons—On Religious Liberty in Ireland—Catholic Emancipation—Goes to Dryden near Edinburgh—His Accounts of his Health—Lady Holland's Hospitable Proposals—Consultations of Physicians—Continued Interest in Politics—Hallam—His Voyage—His Letters to his Friends from Abroad—His Journey—Crosses the Alps—The Italian Press—Pisa—Studying Dante—Reminiscences of his Former Tour—Symptoms of Apparent Restoration to Health—Projects Formed—The Symptoms Fallacious—His Death—Tributes to his Memory—Character by Sydney Smith.

In a letter to his father from Holland House, dated on the 5th of June 1816, we find him, after a considerable interval of apparent good health and spirits, thus recurring to some symptoms of a declining constitution:—

'I had the pleasure of receiving your kind letter. Leonard, I hope, is now restored to good health: perhaps I shall have accounts to-day, when my servant returns from town with my letters. I have been here for three or four days, during our Whitsun holidays; Lady Holland taking almost as much care of me, when she fancies I need it, as if I were in my own dear mother's hands. I am still a little plagued with a cough, in which there is nothing at all material, except the circumstance of its continuing so long, which I think is owing to the cold weather. To be quite sure of this, I have (by Lady Holland's desire) seen Dr Warren, who thinks there is nothing in it; but considers the stomach, as of old, chiefly in fault, and has given me some directions to observe on that head.'

In another letter, a week later, he says—

'I have concealed nothing from you about my health; and am only afraid that by being so particular, as I was in my last letter, I have made you more anxious than there is any occasion for. Good weather and good hours will set me up again completely.'

Mr Horner addressed the House of Commons for the last time on the 25th of June; and it was in the cause of religious liberty and of Ireland. The wrongs and misgovernment of that country had made a deep impression upon his mind: he felt that the harsh, intolerant, and ungenerous treatment of so large a portion of her people left a stain upon the character of England, and engendered a spirit of discontent, which impaired the strength and endangered the safety of the empire. Had his life been spared, we may safely

affirm that he would have laboured with unwearied zeal to promote every measure that was calculated to advance the prosperity, and secure the tranquillity, of Ireland.

The active part which Mr Horner took in so many of the questions that came before the House of Commons this session, may seem to indicate, and even to have required, when added to his increased professional occupations, a vigorous state of health. But this, unhappily, was far from being his real condition. In the two last letters to his father he speaks of being unwell, and, as usual, makes light of his complaints; his friends, however, had seen for some time that his health required a much greater degree of care than he could be induced to bestow upon it. Symptoms of a pulmonary affection had now appeared, which gave them so much uneasiness and alarm, that they urged him to submit his case to the serious consideration of eminent medical advisers, and to yield implicit obedience to their directions. He followed this advice; but, alas! it was too late. The fatal disease could not be arrested, although it appeared in so indefinite and indistinct a form as to encourage hopes of his recovery to the very last. But it will be seen in what remains to be read, that the increasing feebleness of his bodily frame, during the few remaining months of existence that were allotted to him, was happily unaccompanied by even the slightest change in the vigour and activity of his mind: these never failed, but continued unimpaired to the last day of his life.

On the 27th September, when writing to Mr Adam from Dryden near Edinburgh, he thus describes the prospects of his health:—

‘I certainly do not get worse, and have no symptoms yet that appear to be more than warnings to take care of myself. I have been consulting Drs Gregory and Hamilton, and am to see them again on Sunday, when they will pronounce judgment: I expect it to be a sentence of imprisonment without hard labour. Gregory said already, “No vociferation, sir—even if you are paid for it:” this is hard enough upon one of my craft. I am quite perplexed about next sessions; I would stay away if I thought I might do so without future injury; but then I have nearly a certainty of not being permitted to attend at Wells in January, so that I shall seem to abandon them entirely, having absented myself for another reason this year already. Tell me your mind. I mean still to set out for London upon the 5th.’

And thus to Lady Holland on 30th September:—

‘Dr Gregory, with the concurrence of the other physicians, is of opinion that all is sound yet, no harm done, but that care and precaution next winter are indispensably necessary, not only against cold and fatigue, but every degree of exertion. They have positively interdicted me from my profession during the

winter, and have strongly advised me to pass the cold months of that season and the spring in a southern climate. I put in a word for two warm rooms at home, in which I would promise to confine myself; but they urged the importance of getting to a climate where I might still have open air and regular exercise. That consideration, and a conviction that after this opinion has been delivered by them, my family would feel constant anxiety if I did not follow it, have determined me to go abroad. My brother has offered to go with me wherever it is; and we shall set out for London on Saturday, where I must be for two or three days, in order to make some necessary arrangements.

I think I shall go at once to Naples, and remain in Italy till the spring is over and summer fairly begun. But I want much instruction and advice, and for all this you must let me come to you. Will you let my brother and me pass two or three days at Holland House? It is a great journey to undertake, but I have more courage for that than for the sufferings of a sea voyage.'

From this kind correspondent he received the following hospitable offer, written before the receipt of the last letter:—

‘HOLLAND HOUSE, 1st October, 1816

I am glad *my doctors* send you from the keen air of your native mountains; it must be insufferable, but they will not mend the matter by sending you into London. I accordingly trust to your docility, and your sister's good-nature, in expecting you to drive from Barnet straight here, where you will occupy three south rooms, regulated as Allen shall direct, and have your hours, and company, and occupations entirely at your own disposal. Such books and papers as you may require can easily be brought from your own house. Remember your own house is in the heart of London, your sitting and bed-room exposed to the east; that, with your facility to all who ever pretend from acquaintance to friendship, you cannot be denied at your door; that the calm, which is so necessary to you, will be perpetually broken in upon. These three rooms open into each other, and are perfectly warm; your servant will sleep close to you, and your sister will have a room adjoining to this apartment. Pray spare me all the commonplace compliments of giving trouble, and taking up too many rooms. What you know I feel towards you, ought to exempt me from any such trash. From henceforward till June, when I look forward to a thorough amendment, you must lay your account to have me, heart, soul, and time, entirely devoted to your welfare and comfort; and I am satisfied in this because Allen says it is right. I am afraid your sister may think it a bad exchange, from living solely with you to come amongst strangers, but tell her I already feel warmth towards her for her affectionate intention of nursing you, and that I will

try and make her residence as little irksome as possible. Do, my dear friend, yield to my entreaties.'

The offer met with the following reception :—

'DRYDEN, 4th Oct. 1816.

I will not offer you a syllable of thanks, my dear Lady Holland, either on my own part, or my sister's, for your letter to-day and Lord Holland's. Nothing I could say would express what I feel. You have already learned my change of plans; I keep, however, to my day, and set out with my brother to-morrow. We will drive, as you have bid me, from Barnet to Holland House: and in all probability shall arrive there on Thursday next. When there, I shall profit by your best advice about my travels. All the four physicians here urged me to go abroad; Gregory and Thomson were the most urgent; the former would not hear of two warm rooms and confinement; and since I intimated to Thomson that I was ready to adopt their advice, he has repeatedly said he is convinced it is the safest and best course for me. The reason that has weighed most with me is, the opportunity of getting a little exercise most days in a southern climate, or at least with a short interval of confinement; whereas, if I remain in England, I must lay my account with an imprisonment of several months. The effects of this upon my constitution I have formerly experienced, and am not encouraged to repeat the trial. Besides sinking and wearing out the spirits, it is very hurtful to the whole machinery of the stomach; and a derangement of that organ, or some part of the apparatus belonging to it, if not the original cause of my ailments, forms a principal part of them. I do not mean, however, to be determined by my own reasonings on the point, still less by any secret wishes to turn this misfortune of mine (for it is a very serious one to be interrupted in my profession) to the most advantage, but shall be infinitely more swayed by your opinion and advice. That of the physicians must in the end decide the matter. I have told you what they say here; Thomson said he would write once more to Allen; and when I get to town I will consult Warren again. If I go abroad, the south of Italy (that is, Naples, or its neighbourhood) seems, from all I can hear, to be the most advisable. If I was to go to Spain, my poor mother would dream of nothing but Fernan Nunez' application to Castle-reagh,* which somebody unluckily told her of; and wherever I

* In a discussion on the 1st of March, 1815, respecting the conduct of the British authorities at Gibraltar, in delivering up to the Spanish government some Spaniards who, on account of political offences, had sought refuge there, Mr Horner spoke of the king, Ferdinand, in very strong terms of reprobation. He described him as being hated and despised throughout the Spanish nation; and expressed a hope that the people of Spain might be excited to reassert their

am, a little of English society in the morning must be part of my medicine. Had Anthony Maitland been going out immediately to the Mediterranean, I would not have declined the offer which Lord Lauderdale most kindly said he would have made, of taking both me and my brother. In so comfortable a way, I would have ventured on the experiment of a voyage, though hitherto my sickness has always lasted the whole time I was upon the water. I am in hopes that, by warm clothing and moderate journeys, I may perform the land journey without fatigue or exposure to cold.

All this while I have never said a word about your indisposition. I trust the threatening proved a false alarm, and that I shall find you on Thursday quite well again.

Morpeth, Sunday Evening.—I have had two days of travelling, and am nothing the worse for it; coming very leisurely, and taking every precaution against cold. The weather has been delightfully mild. I am becoming quite expert in the selfishness and egotism of an invalid.

Your accounts of Foscolo are so interesting that I am quite impatient to see him. Thank Lord Holland for his most kind letters.

God bless you, my dear Lady Holland.'

He wrote to his father from Great Russell Street on the 11th October, saying—

'We arrived to-day soon after twelve, and I have already seen Dr Warren. He wishes me to see Dr Baillie, and to state my case without communicating either what he, Dr W., has said to me formerly, or what I understood from my physicians at Edinburgh, in order that he may form his own opinion, and afterwards confer with Dr Warren. I have accordingly written to Dr Baillie, requesting him to name a time when I may call upon him.

Dr Warren said to me there is a nicety in the case: an equivalent expression, I suppose, to one Dr Thomson used, that there was an anomaly in it. You shall hear exactly what they tell me. I found your kind letter, besides others from all the family. We are much comforted by knowing that they are all well. My kind love to them.'

In a letter to Hallam of the 14th, we find him thus expressing his continued interest in the politics from which he was about to separate himself:—

'It will be, as you know, a great act of kindness to write to me as often as you have leisure. I shall be anxious and nervous about public matters at home, till this lowering winter is over,

rights, and depose Ferdinand. The Spanish ambassador applied to the government (much to the amusement, it is said, of the foreign secretary), to have the member punished for speaking of his Catholic majesty in such terms.—L. H.

and most of all about the state of the public mind, which I look upon as very diseased at present, and much inclined to give ear to quack doctors, and to try the experiment of violent prescriptions. As the people never dies, we shall get through the actual malady, and become prosperous again; but I dread what sacrifices we may be tempted to make of essential principles of policy, and especially of those which guard and consecrate property.

Upon the subject of the public debts, I look upon the whole body of country gentlemen to be altogether unprincipled; as eager and sharp-set for rapine as the Jacobins ever were for their acres. Then you have a very feeble ministry; and between their financial difficulties on the one hand, and the clamours of the idle-headed reformers on the other, I fear they will be base enough to make compromises that will produce no real ease to the state, but which will leave the lasting mischief of bad example and violated principle. Never were virtue and good sense on the part of the House of Commons more fervently to be prayed for. If, under such a conjuncture as the present, they shall compel the reduction of the army, and at the same time strengthen the government with an efficient system of taxation, abstaining from all predatory inroads upon property of any description, they will make our liberties immortal; and if they do not do all this, these liberties have not much longer to survive.'

LETTER TO HIS FATHER.

'HOLLAND HOUSE, 14th October, 1816.

As I saw Leonard write a long letter to my mother this morning, I daresay he has said everything respecting Dr Baillie's visit yesterday that I could report. Allen is to write fully to Dr Thomson, and will desire him to show you the letter, that you may know with precision and exactness the view which Dr B. takes of my disorder.

A good deal of the conversation passed not in my presence; but from what he said to myself, coupled with what I have heard of the rest, I think there is fair reason to conclude, first, that the removal of this disorder may be effected by care and precaution, if I get no accession of accidental cold; and secondly, that the scheme of going abroad affords the most favourable means of carrying that system of precaution into effect. I am to see Dr Warren again, after he has had a conversation with Dr Baillie, and I shall endeavour to have another consultation with the latter also, who has behaved very kindly to me in coming out of town to see me, contrary to his general rule.

He said to Allen that he had never known an instance of a consumptive disease of the lungs without fever; and also that he had

never known such a case occur without loss of flesh. My total freedom from fever, and my recovery of flesh while I was in Scotland, of which there is no doubt, he considers, accordingly, as affording great encouragement to the most favourable expectations.'

Having finally determined to cross the Channel, we find him thus describing his voyage in a letter to Mrs Leonard Horner:—

‘CALAIS, 22d Oct. Half-past 3.

I am safely deposited in the inn on this side of the water; our passage was four hours and a-half, with a fine wind at first, which fell calm for some time, but rose again, so that we made the harbour without losing our tide. Leonard was for some time very sick, but was quite fresh and well before we quitted the ship. He remained on deck. I had myself laid in a *berth* at once (I wonder they do not call it a death rather), and resigned myself to my fate in a recumbent posture; but all my wretchedness is over now, so I will not keep up the recollection of it. We shall not start till to-morrow morning; and as we do not mean to attempt to travel more than fifty English miles a day, it will be Saturday forenoon before we arrive in Paris, where I have apartments already secured to me in the Place Vendôme, and orders gone before me to have fires lighted, by the politeness of a French gentleman whom I met with at Lord Holland's, whose lodgings these are. There is no end to the kindness of everybody, but Leonard's is greater than all. He is, I think, quite well; indeed, remarkably so; not a tinge of yellow, of the breadth of a hair, in any part of his face. He will probably add something in the other page; he is at present busy at the quay. We shall not hear of you till we reach Paris; but there I trust we shall have good and full accounts. My tenderest remembrances to dearest Mary: I hope the other two children will be like her; I cannot wish them to be better. God bless you. Affectionately yours.'

EXTRACTS FROM LETTERS TO LADY HOLLAND.

‘PARIS, 29th Oct. 1816.

Ward* lives within three doors of us, and has been here repeatedly; very pleasant and entertaining; he sat by my bedside yesterday—that is, my sofa—while Leonard went to see Talma in “Hamlet.” His master, he says, is to remain some time longer here; a fortnight or more; and he seems to suspect that Canning, besides re-conducting his lady home, has some political reason for being here at this time; but he evidently makes no

* The Hon. J. W. Ward, the late Earl Dudley.

confidences of that sort with Ward. Canning is of opinion that the Ultras are about to commit a great fault in declaring themselves for a free press; and he tells them so: the spirit of a party question carries them for the moment so far out of their own element, that an old emigrant magistrate, whom I knew in London, a *President à mortier* of one of the Parliaments, and who, in all his opinions, is for everything of the old régime, maintains that nothing will save France but the liberty of the press. This is not founded, that I can hear, upon any speculation that the country might be roused by the press to any declaration in favour of their views, but was suggested first by the proceedings against Chateaubriand's pamphlet, and is kept up by feeling that they have here a change, and a general question to debate, in which they will have the general feeling of the nation with them against the ministers. But besides this, and accusations of undue and unconstitutional influence in the elections, with which they are to open their campaign, they talk of other popular questions—such as abolishing the qualification of age for the Chamber of Deputies, enlarging the number of that assembly, and giving it the initiative. I am afraid the Ultras have more of the discipline, as well as zeal of a party, than any of their rivals.

I told you of Madame de Souza's kindness to me in preparing for my arrival, and coming to see me immediately; she has paid me a visit every day, and while she had the goodness to amuse me by conversing in my hearing, she enforced your instructions in prohibiting me from taking a part. There is something very pleasing in her affection for her son,* and her anxiety on his account. Pray take some opportunity of saying to her soon how gratefully I feel her unexampled kindness to a stranger. We shall write from the road in a day or two.

FROM MR L. HORNER.

'SUSA, 11th November, 1816.

As I find the courier for Lyons passes through Susa to-morrow morning, I will not lose the opportunity of giving you the earliest information of our having this day got over Mont Cenis safely and well. We left Lans le Bourg at half-past nine, were on the summit in three hours, at Molaret at half-past two, and at this place a quarter before four. The day was clear and beautiful. Yesterday there was a fall of snow and rain, and to-night there is a very high wind, so that we have been exceedingly fortunate in passing during a favourable moment. My brother has not coughed at all to-day, and he is now fast asleep in bed, I think I may say in no degree injured by the journey. * * *

* General de Flahault.

(On the same paper.)

I confirm all this; after a night's rest, from which I have awaked without any symptom whatever of having caught cold. The journey from Lyons has been fatiguing, particularly in the long La Maurienne, where his Sardinian majesty's *postes royales* are but very poorly provided. The Mont Cenis is nothing of an exertion, the road is so admirable; our ascent took exactly three hours, with snow upon the road all the way, but not more than ankle-deep; the descent to this place, which is near 3000 feet lower than Lans le Bourg on the other side, was a pleasant trot of two hours and a-half, without ever using the drag, or thinking of it.

FRA. HORNER.

TURIN, 13th Nov. 1816.

Though we had the precaution to write to you from Susa as soon as we were fairly over Mont Cenis, I question if that letter will reach you sooner than this; for in all probability the passage of the mountain is at present stopped. We had not been two hours in our inn at Susa, when, a little after sunset, a violent wind rose all at once, which blew a hurricane; and they told us it must be a *tourmente* upon Mont Cenis, and that we were fortunate in having passed. Next morning, between seven and eight, just after I had despatched my letter to you, there began a thick shower of snow, as serious as I have seen it at Edinburgh on Christmas-day; and this accompanied us all the way down the valley for more than twenty-five miles; the snow lay near a foot deep on the ground. Before we got to Rivoli, which is the exit of the valley, we found it lying thinner and thinner, and the light to the eastward under the clouds brightening, till we emerged at once, at the head of the plain of Lombardy, to a clear sky and green fields. We have found it pretty cold here, however; a keen air, with the thermometer as low as forty degrees, which we should be ready to complain of in London on this day of November, ay, or at Edinburgh. I have nothing to say about my health different from the last account, and I rejoice, for your sake and my own, that we may pass by that subject for once. . . .

Being arrived in the capital of a great state, I sent round to the booksellers' shops for new publications, but the universal answer was, there were none. I sent for a bookseller from what they call the best shop, and asked him if there were no pamphlets, no dissertations upon their trade, or their manufactures, or their agriculture, or their new laws, or their old laws revived: he crossed himself, and said it was forbidden; they had none of these things; there had not been a new publication in Turin he did not know the time. Yet this is the country of Alfieri and La Grange.

PISA, 29th Nov. 1816.

We are at last arrived here. I expected to have announced this to you a week ago, but we were a week detained at sea in coming from Genoa to Leghorn. We arrived here yesterday, and are occupied in searching for lodgings, which seem difficult to be had on the proper side of the river. The weather is at present beautiful, and the temperature of the air mild, so that my first impression is in favour of the place. * * *

We had bad weather during part of our voyage—that is, heavy rains and a swell of the sea; it was never cold, however, and what delayed us was the want of a steady wind; the land-breezes, which made the sea so beautiful to look at, being light and variable, on account of the height of the coast and the narrowness of the bay. I did not suffer from sickness, for I persevered in my horizontal recumbent posture all the six days. I cannot yet speak of any improvement in that oppression of my breath which I dislike more than the cough, because it has never been explained to me by any of my physicians; it is not getting worse, however, though just at present, while I am weaker in consequence of my confinement at sea, I feel the inconvenience of any exertion more immediately. But now that rest is in my power, I mean to have absolute repose till I feel strong again, and probably in a week's time I shall be able to make a favourable report in all respects. I find there are some acquaintances of mine here, but I have not seen any of them yet, as going up stairs still incommodes me, and besides, I have a mind to practise the silence that was prescribed for me.

I am planning what I shall read during the winter; my idea is, to go through some of the best authors of the country, and to keep myself, if I can, from the temptations of their minor literature. I have not yet been to the booksellers' shops, but I ascertained there was a pretty good one at Leghorn.

Lord Lansdowne says he shall remain at Rome till after Christmas, and then go to Naples for a month or two. Dumont is in great force, and buys marbles.

'13th December.—I hear Dumont is returned to Geneva, delighted with his Italian tour. I wish I could have crossed him in his way; I should like too to read *one* of the two books he has lately published, that on the "sophistries" practised in the debates of public assemblies; this is a subject of which a little might be made both for amusement and use, and where his fun and good writing must now and then break the fetters he has put upon them in the name of *principes* and method: like some other things he has undertaken to dress, nothing could in his hands spoil it for the public taste, but his way of putting everything

upon Bentham's gridiron, to be scored and scorched in lines and rules.

There is a little society here with which I could diversify my quiet reading life much to my satisfaction, but I abstain altogether; never knocking at any one's door, and shutting mine almost every day to everybody.

I am making a study of Dante, which is rather too big a word for any reading of mine now; but I do not find it a task, and he will make all other writers more easy to me. I have run through some of Machiavel's Legations; they are highly entertaining, particularly that to Cæsar Borgia, with whose insinuating manners and eloquence in conversation he seems certainly to have been captivated, as well as by his force of character. The details given from day to day in despatches to his government, while the affair of Sinigaglia was in train, up to its execution, have the interest of a tragedy; one has luckily no need of assistance to feel the horrors of it, for the writer does not drop a phrase that could excite it. The new edition of his familiar letters contains some that are said to have been before unpublished; the edition, I mean, of Italia (Florence), 1813, in eight volumes; the three last volumes, which contain these additions, are to be had separately. There are some very pleasant letters between him and Guicciardini. I have read over again an old acquaintance, the *Mandragola*, with increased amazement; how he has mixed with the irresistible buffoonery of the story his indignant satire against the priests! There is one passage as keen as the "Provincial Letters," and very like them. "The Prince" (which you may think strange) I have read for the first time in my life; and with such disgust, that I do not know I shall ever be able to open it again. It has not prevented me, however, from going on with his history, in which I own I find nothing inconsistent with the sort of mind that produced "The Prince;" and what I remember of the "Discourses on Livy" would not alter this judgment; but these I mean to read once more. Alfieri's life, up to the French Revolution, has made me hate him; he loved liberty very much in Machiavel's way, and understood it so. His two tragedies "*Seni*" and "*Mirra*," which I was told were his best, have made me admire and wonder, but without much dramatic interest: this is a very rash judgment, and I shall perhaps have to retract it; but though the conduct of his plot and scenes is skilfully pursued for effect, his personages have no character of their own; and though they always speak the proper and very forcible language of the passions, they never say anything but what one seems to have heard before, and expects them to say in their circumstances. There is consummate art in the "*Mirra*;" but it has not a touch of that pathetic with which Ovid tells the story, and with which Dryden has translated one speech, and with which

Racine has imitated the same speech in "Phedre." Could there be a stronger trait of a want of original genius, than his resolution not to read Racine any more, for fear of spoiling his originality ! But I am falling into very old stories : do not let Foscolo hear of my heresies.'

On the 17th December he wrote to Mrs Dugald Stewart, a letter devoted to some of the objects of literary criticism which are referred to so fully in the rest of his correspondence. At this time he says—'My present mode of existence is so like a dream, that I do not venture to talk of things as real ; to have been brought over near a thousand miles of foreign country, and not allowed to look about, and then set down in a very famous place, without having breath to ask a question, puts me in a manner beside myself.

In a bookseller's catalogue this morning I met with the title of a work which may have been originally written by your ancient friend Lord Woodhouselee ; it is a "disquisition upon the doubt which had arisen how it happened that Petrarca did not expressly praise Laura for her nose !" If you have any curiosity to see it, I will send for it to Florence.

Pray tell Mr Stewart there is a very remarkable letter of Machiavel's lately published, written to a private friend at the very time he was engaged in the composition of "The Prince," and not only fixing the date of that work, but explaining, in a manner disgraceful to the author, the use at least he made of it, in putting it into the hands of the Medicis family ; the letter, besides, is full of character, and describes in a very lively manner the life he was leading when driven away from Florence. This particular letter may be read at the end of the last volume but one of "Pignotti's Storia della Toscana," a book published here, but which was in all the London shops before I came away ; it is to be found also, with several others, which are entertaining and curious, in a new collection, published at Florence in 1814, of Machiavel's public despatches and familiar letters. By the way, I must likewise tell Mr Stewart that my late reading has suggested a slight criticism upon one expression of his with regard to "Machiavel's Prince," where he calls it "one of the latest of his publications." The fact is, that his three great works were none of them published in his lifetime, nor for four years after his death ; they appear to have been all written at the same period of his life, during the eight or ten years of leisure that were forced upon him ; and I believe it may be made out from the works themselves that "The Prince" was composed and finished first of the three, then the "Discourses," and last of all the "History." This and the first having been written for the Medicis family, the manuscripts were in their hands, and they published them ; the "Discourses" were printed by the

care of some of his personal friends. If Mr Stewart wishes to have the proof of all this in detail, I can draw it out without any trouble. You see that the "Dissertation" is one of my companions in my travels.'

In the following extracts from letters to Mr Murray, will be found some reminiscences of the tour which the friends had taken together in the days of hope and health over the ground he was then traversing in circumstances so sadly different:—

'PISA, 6th December.

Many of the places all along the way, and some of the wretched inns, revived in my mind very agreeably the particulars of that pleasant journey, some probably which would never have occurred again but for this driving over the same ground. I felt a second time the regret of passing within a few miles of the Grande Chartreuse without turning off to see it; and I could not help thinking it rather an odd accident that I should be twice in my life at such a city as Turin, and both times too unwell to walk about and see it. * * *

21st Dec.—I got yours of the 2d instant yesterday. You say nothing of Mrs Murray's health. By other accounts, I find she had been ailing and confined to her room, but was better; I hope and trust by this time quite well.

Mr Clerk's opinion will not make me think that there was no injustice done in the Ayrshire case.* There was an absolute failure of justice upon a point of form after infinite delay. If he and others think nothing wrong in the existing laws, I am certain that was not the opinion of Lord Eldon in that cause; and I should have expected some of those you name to have been at least as quick as he to discover defects that touch the liberty of the subject. Of all persons, those who give the least aid, when anything is to be done by legislation, are your ancient barristers; the two operations of mind, knowing what the laws are, and seeing what they had better be, seem almost incompatible.

But it is idle to regret the obstacles that exist to any amelioration of the constitutional laws of Scotland. Similar improvements in England have seldom been the work of lawyers, but have been forced upon them, or carried through in spite of them, by the public voice upon some crying instance, like that Ayrshire case, or by the efforts of individuals unconnected with the legal profession. In Scotland you have no public voice, for you have neither a popular meeting nor a political press.

* This was an action for wrongous imprisonment on the statute of 1701, c. 6, by John Andrew, a shoemaker, in the village of Maybole in Ayrshire, accused of seditious practices against John Murdoch, sheriff-substitute of that county.—*Dow's Reports of Appeals*, vol. II. p. 402.—L. H.

You leave me in doubt whether you adopt Clerk's opinion when you state it, that the laws of Scotland and their administration are particularly lenient to all persons liable to imprisonment. Under the actual administration ought to be included the state of your prisons, which, from what I have seen of some, and heard of many others, are a reproach to a civilised country. Another branch of actual administration is the practice upon your circuits of "deserting the diet" at the discretion of an advocate-depute, by which I have been assured, in numberless instances, the imprisonment of persons accused has been prolonged from year to year, until it appeared that they had suffered confinement long enough even for guilt, and upon that principle they were discharged as persons not tried indeed, but punished. You have the means of correcting me if these are fictions. Another rigour in the administration of your laws is the practice of committing indefinitely for further examination, under which I have been informed there have been recent abuses to a great extent. Let me add one more; the power your magistrates exercise, if legally or not, I do not know, of condemning to long and even solitary imprisonment, upon their own conviction without a jury, persons charged with police offences, or even offences of another description, such as that of the servant who assaulted and kissed his mistress. The things I have spoken of actually do happen; so much for lenient administration. I am not one of those theoretical innovators who are for squaring the letter of the laws to the ideal rules of a perfect justice; the correction and prevention of practical grievances is the best we need aim at. But there are some branches of the law in which the possibility of wrong ought to be prevented, if by fresh guards the law can effect it; and the most important of these is the liberty of the subject. A single instance of abuse and oppression like that from Ayrshire, on which I must insist still, ought to raise every voice for a law to make the repetition of such conduct impossible. To quit that instance, the capital defect of your law of imprisonment upon a criminal charge is, that it does not provide a certain infallible course of proceeding to bring the accused person to trial as early as the preparation of evidence will admit of. The law which throws an innocent man into jail, ought of itself to determine speedily whether he ought to be discharged or punished. Then you tell me of your act 1701, and that every man may run his letters—that is, with money he may, if he sets about it with good professional advice. But why should it be rendered necessary for him to take any steps? Why do not his letters run by operation of law, without any movement or payment on his part? The law has made the first move, in taking him from his labour, his family, his liberty; ought it not to go on, and with every degree of speed that is consistent with a due execution of justice, ascer-

tain a point so important to this man, if he is innocent, the question of his innocence or guilt! Here, then, is a principle, the introduction of which would be a practical improvement of your law; keep the phraseology of the act 1701, but let the letters run by operation of the statute. Reverting here to the actual administration again, I speak with very imperfect information; but my impression is, that it is not a matter of course for every prisoner to take immediate steps for running his letters; that, when he has recourse to it, there are difficulties and delays from his having already lost time, and from the formalities of the law; that there is a sufficient field for the chicane of such practitioners as minister to the wants of prisoners; and that the amount of fees is such as cannot fall light upon a man in the condition of living by his daily labour.

I see nothing in Clerk's other arguments: he dreads discussion: you will not learn that of him. Is any good ever done in England but by discussion! This is a hint worthy of some of my present acquaintance in ecclesiastical habits on the Lung'-Armo. But juriscensulta, after a certain age, get wonderfully ecclesiastic in their ways of thinking. "It will be a long time before the new law is understood and executed"—that is an argument I will not answer. He thinks it better to preserve the present severity of penalties against the magistrate who misconducts himself; that is the part of the new bill on which I am least anxious. One use of it was to conciliate the magistrates in favour of the rest. I question, however, the solidity of Clerk's reasoning; he ought to show that the penalties have, in any instance, been enforced, and that the court has never shrunk from doing justice upon a complaint on account of their severity. I believe they are an instance among a thousand, that there is no surer device for impunity, if that is the real drift, than to enact a punishment such as nobody could think of enforcing.

I ought to ask your forgiveness for worrying you at such length upon this subject. I feel it to be mere Utopia to talk of improvements in the law of Scotland; one has nobody to go to but the lawyers, and they never favoured in any country the improvement of the law. This would be too saucy if I were not a bit of a lawyer myself, and if I had not, in more instances than one, caught myself sliding down into Westminster Hall superstitions.

Remember me to all my friends, Thomson and Jeffrey in particular; and do not reproach them for not writing to me, for I did not expect it. They had left it off when I was in a condition to send them some return. Remember I am in a place of solitary confinement, where I hear nothing but by letters; and it very often happens, when I am hungering for gossip, and all the details that become so dear when one is at a distance from the

pot, that every one of three or four letters politely declines telling me what it takes for granted must be told in the others.'

LETTER TO LORD HOLLAND.

'PISA, 21st Dec. 1816.

DEAR LORD HOLLAND—I heard, with great pleasure you will believe, of your being at last relieved from the gout; by the order in which our letters reached us, the first I heard of your amendment was, that you were walking in the garden at Petworth; and since that Allen has told me you are quite recovered.

I rejoice to hear you say that the system of maintaining legitimates in foreign countries, at the expense of English treasure and character, has lost its popularity; I feared it was too early for that subject to be seen by the English in its true light, for though they always get at the true sense of things in the end, they rarely come to it in time, nor until they have paid deeply for it. It is the great theme for Parliamentary discussion, coupled with that of the reduction of the army, which is closely connected with it, both upon the grounds of economy and upon all the true and enlarged principles of political liberty. I hope, when Parliament meets, these questions, so joined together, and taken upon their broadest ground, will be urged repeatedly; not merely in the protest of one solemn debate, which saves the consciences of the speakers, but does not work upon the public. What I dread is, that in the House of Commons there will be nothing but the old song of sinecures and reversions, which we learned from the unreasonable narrow-minded democrats, and in our turn have been teaching it so exclusively to the excellent Whig party among the gentry and middle orders of England, that more general and generous notions of constitutional liberty and foreign politics are no longer so familiar or acceptable to them as they were formerly. As to sinecures, the line we have hitherto taken on that subject seems to me still the most reasonable, and it ought to be adhered to with firmness; to concur in their abolition or regulation, but to protect all existing interests as property. As long as the subject would bear discussion, I think the argument was much in favour of sinecures under our form of government; and that their existence as a fund of distribution by statesmen among themselves (to put it in the plainest terms) was an additional security given to the democracy for the efficacy of what we justly reckon one of the best marks of our freedom—that a man may rise from the humblest rank to the highest office: the democracy, however, have scouted all such arguments, and I take the discussion to be at an end; at least while the present stigma is upon such places, no man, who hopes by means of public confi-

dence and reputation ever to do any public good, would be indiscreet enough to come near them.

But though this view of the subject would carry me so far in the cry against sinecures as to join in their future abolition, no outcry, nor any public pressure, should ever prevail upon me to touch them in the present hands of those who got them, and hold them by a legal title. I cannot see this in any light but robbery; which may be committed by Parliament with as much injustice and violence as by a highwayman. It is a ticklish thing to begin to draw subtle distinctions about property; and the last philosopher I would trust with such a perilous experiment is a popular assembly in an hour of national necessity and heat. Perhaps one grudges such a man as Lord Camden his vast drafts of public money; with the same feeling, one might still grudge the Pagets, for instance, their exorbitant grants from Henry VIII., for no one service rendered to the people, and no one memorable action performed by the family in any age of our history. If the House of Commons take away Lord Camden's grant of the tellership, which was given him perhaps fifty years ago, why should not they proceed to take back also to the crown Lord Somers's manor of Ryegate, which was granted about fifty years earlier! The greater length of time is nothing in the argument; for prescription is the mere creature of law, which, by the argument, is to have no efficacy against reasons of state necessity; besides, the law has created no prescription in this case, judging it unnecessary; the grants being good in law from the first moment. Then it may be said Lord Somers's ancestor did great things for the country, and earned great rewards: will it be for the democratic purists of the present day to say that the first Lord Camden deserved none? I think this is a point of the very first importance, considering what sort of discussions may be broached in the ensuing session; and the principles, by which property is guarded from public rapine, ought to be inculcated with authority and a strong hand.

The question of Parliamentary reform is with me a far more doubtful one, and attended with many difficulties, which I have never yet solved to my own satisfaction; at least that part of it which respects the rotten burghs, which is the only thing the democrats are struggling for, and that out of their envy and hatred of the aristocracy, not from jealousy of the crown. I have sometimes thought their object a salutary one for our liberties upon the whole, but I am ashamed to say I have no clear nor fixed opinion yet upon that part of the subject. There are others, and important ones, in which the reformers are clearly right, though for other reasons than they commonl, assign. I do not know what I should think justifiable, if I were a radical reformer, and were bold enough to make the experiment of a new scheme of

representation; but in my present views of that question, there is nothing I would do more resolutely than to disclaim, if I had any name to carry weight with it, the idea of forcing this subject upon Parliament, when such mighty difficulties of immediate pressure demand all its attention, and the folly (in some individuals the palpable wickedness) of connecting the present sufferings of the people with anything in the state of the representation. Pitt was the first demagogue who propagated this fallacy, which has been flung back upon his own course of measures with ample retribution. It is used at present so falsely in my opinion, that, ever since I have sat in the House, I should say that in its worst vote upon all great state questions of peace and war, it has been in unison with the passions of the people: there is but one seeming exception, the vote on the Walcheren business, but which, when looked at a little deeper than the surface, instead of proving the power of the ministers of that day to carry a question in the House against the sense of the public, really proved the sense which the House had of its own power at that crisis to choose ministers, and its decided preference, in concurrence with the public one must say, of one set of men over the other.

I am not at all surprised to here that Lords Egremont and Sheffield, two names oddly coupled, but very well for this service, are declared against the sinking fund: they are just for the expedient of the day that will help things on another year, at whatever sacrifices of the reasons, and pledges too, involved in their former votes. To the extent of a certain sum, there is a positive pledge of Parliament to the creditors that the fund shall not be touched. Taking what remains beyond that, is only shifting for half a year, and giving up for that the certainty of a great future relief, for which we have been paying annually, for thirty years, large sums. If the sinking fund is let alone for a few years, there will be in our financial history a rare example of provident, persevering, and successful forbearance; if it is violated, and by Pitt's own creatures, it will be just as remarkable an instance of extravagance, facility, and deception. While there is a regiment or an office to reduce, I would not touch a hair of its head. The country gentlemen in the House of Commons are, upon this subject, some of them, the most arrant Jacobins; they consider the whole body of the stockholders as fair game—that is, they have gone on borrowing from monied men, campaign after campaign, without thinking of the consequences; and when the whole amount of interest to be paid for the money they have spent presses hard upon them, they say these men who ask for their interest are a set of plunderers, who have been racking money by the war.

On the reduction of the army, it seems to me we cannot wish for anything better in debate than that the ministers should dare to use as an argument for their high establishment the

existence or probability of riots. That would put the discussion upon great topics, such as the public ought once more to hear from their Whigs in Parliament. The civil force must of course look for its radical support to military hands; but to pretend that England needs for that purpose anything like so many forces as we should consent for other reasons to vote, would be a sound so new in the English Parliament, that I hope you will make the whole land ring with it.'

LETTER TO HIS MOTHER.

'PISA, 4th Jan. 1817.

MY DEAR MOTHER—It is not too late yet to wish you all the happiness that this and many new years can bring. I cannot say Leo and I have had a merry Christmas, but it has not been very sad; for we have heard pretty regularly from home, and believe you are all in perfect health.

The winter here is at present very mild, and indeed delightful; Leonard has got a little horse for me, and I have had my first ride to-day for a couple of miles out of town; and I found I could bear a little ambling pace for a considerable way without losing breath. If I can go on with this, I have much faith in its efficacy; and there is no reason apparent at present why I should not, for, except that we may expect a little cold weather in the beginning of February, they tell us our winter is nearly over. From what we have heard from time to time of the severe cold of the winds at Florence and at Rome, the climate of this place seems to have been this season far milder. I have a little nose-gay upon the table now, taken from an open garden in the town, in which, besides China roses and a lily, there is the most perfumed double jasmine; and Leo brings in from the wayside in his walks buds of spring. All this, I hope, is soon to do me good; for I am rendered so selfish by illness, and the care taken of me, that I think only of myself, you see, in these blessings of the sun. The last ride I had was with dear little Mary; and, upon recollection, I think I should have been better company for her to-day than on that occasion; for I have no longer that feeling of mortal lassitude which hung upon me at Dryden, and seemed to wither me within: that sensation is gone, though I am weaker now and leaner, and blow still a very bad pair of bellows. Rest, however, has done this for me.

All the world over, one hears of nothing but the sufferings of the poor from scarcity. They have their share of it in Tuscany; not that their corn harvest failed, for that seems to have been a middling one; but in the mountains the people live altogether upon chestnuts, and bread made of that fruit, which did not ripen this summer for want of heat. This has thrown them upon the

produce of the plains, which is insufficient for both sets of inhabitants. An additional suffering is occasioned by the failure of the grapes and olives. The price of grain, accordingly, and of maize among the rest, is very high. This sort of produce has been prodigiously increased in Tuscany of late years; and what is curious, it seems to have been encouraged by that very change of the seasons, within the last eight or ten years, which is said to have been remarked all over Europe, and is so much lamented: for maize requires more rain for its growth than an Italian summer used to afford, so that if they were to become as dry and hot as before, this cultivation must be discontinued. The chestnut-eaters in the hills are beginning to have patches of potatoes under the shade of their great trees, but with much prejudice against them; in a little while that "modest" vegetable, as some sentimental French traveller called the root of Ireland, will gain upon the other, and make an important change in the habits of that peasantry.

Farewell, my dear mother; give my kindest love to my father and all the rest. God bless you.'

EXTRACTS FROM LETTERS TO LADY HOLLAND.

'PISA, 10th Jan. 1817.

Though I leave the medical department for Leonard, there are some points on which I may perhaps answer you more distinctly myself. About ten days ago I sent for Dr Vacca, and not only find him very agreeable in conversation, but have taken an impression of confidence in him as a physician; perhaps, in some measure, from the rational degree of scepticism he seems to entertain as to the powers and reach of medicine; and still more from the frankness with which he has given me to understand that he is very much in the dark about my case. When I first saw him, I told him I had come here with instructions from my English physicians, which I meant to follow without variation; but that I wished him to come and see me from day to day for some time, and then give me his opinion of my illness, as well as enable me to make a report of my present state to those I confide in at home; by whom it was my intention still to be directed, whether I should persevere in the course they had recommended, or change it for another. He entered readily into my view, and has been with me almost every day: in the course of next week I mean to write either a letter to Dr Baillie, which I shall transmit through Allen's hands, or some statements which I will ask Allen to lay before him. Until I receive his response, I shall go on as I have done. I may postpone till that communication any more particular account of myself than Leonard will give you in his letter.

I hear Lady Morpeth has been confined; I hope doing well. Remember me to Lord Morpeth with all the kindness and respect you know I feel for him: in these times, would he would take the trouble to communicate and impress more publicly the sound sense and pure feelings he always has about public affairs. I will get the best information for you I can about the art of Niello and the Laurentino Manuscript. In the meantime, let me refer you to half a page in Pignotti's "History of Tuscany," vol. v. p. 176, where there is a professed explanation of the sort of work called Niello; it may be right or wrong, but it makes me perfectly comprehend your statement of Benvenuto Cellini's account of it, consistently with there being such an impression or cast as you say Mr Grenville has purchased.

29th Jan.—My reason for writing is, as usual, only to tell you about myself. I am now entirely recovered from all the effects and weakness of the accidental fever I was attacked with the beginning of last week; and I have resumed the opium, with the same good effect as before. How long this will last remains to be seen. I have taken it three nights running, a grain of the gum extract on going to bed; and this morning I have begun to take the same dose before getting up. The power of the evening's dose is nearly exhausted next morning; all day, however, I felt my breathing a good deal more easy and tranquil. The effect of what I have taken this morning has perfectly corresponded with what I expected from the other trials; the relief seems to me quite marvellous, and I could fall down and worship my pill like a Turk: what is very new to me indeed, I have got through the labours of my toilet not only without pain and palpitations, but with scarcely any feeling of exertion; and I am altogether a stronger and better man than I have been a great while. You will think I write this under the delirium of my drug, and the alteration of my condition looks something like a reverie; but I really consider the experiment now as having been fairly tried, the result being uniform of all that I have made, before my fever, and since. Even if it should be but a transient effect, what has taken place must surely throw some light on the nature of my disease; Dr Vaccà will not speak out yet about it, except in conjectures; but he seems to watch me with a real curiosity. By Saturday next, I shall be entitled to include what we have observed with regard to the operation of opium in the statement which I wish Allen to consider and lay before Dr Baillie.

4th February.—We have had the finest weather possible for a fortnight now. I have had two rides upon excellent turf at the Cassino, in a wood of ilexes, and in sight of the Massa mountains; and mean to ride now every day whilst this warmth lasts. I have been out every day in a carriage since I recovered from

he fever; and my report of myself in all respects is very favourable. The use of the opium is still but an experiment, and I wish to have a little more certainty and longer observation before I give you a formal account of it for the doctors.

I told you I am reading the "Council of Trent." It engages me deeply, and, making allowance for the subject, which can suit very few tastes, is one of the best of histories. If you saw me take Father Paul into bed, as soon as I have had my early tea, you would exclaim that none but a dull Scotsman, bred upon all the chopped straw of learning, could so take to so dry a book. That may be the true cause of it, but it is so. I have always had a relish for works that treat of the history of opinions. There is a sameness in Father Paul's subject, and the characters are few for so long a book; but he gives it more even of dramatic interest than could have been expected. I should like something more of elegance and imagination in the style, even for history; but it has the other merits of historical style in the highest degree. I have always thought one of Mackintosh's chief difficulties in his undertaking was, to put into narrative the deliberations of an assembly; Father Paul has shown how many of these difficulties are to be overcome, and some indeed peculiar to his assembly. But you have had more than enough of this stuff.

LETTER TO HIS FATHER.

'PISA, 4th Feb. 1817.

MY DEAR SIR—I am not going to trouble you yet with the formal medical report which I promised, because I consider the use of the opium as still a matter of experiment, and one goes on from day to day observing its effect; so that I become unwilling to give anything like a definitive account of it till I have more certainty. I have still, however, a favourable report to make, both of the continued operation of that medicine, and of my present state of health.

I am undoubtedly better upon the whole in all respects. The weather is at present, and for above a fortnight has been, like the finest spring season ever known in England in April or May; so that I get out every day for above two hours, and the last two days I have been one of these hours on horseback. After driving two or three miles from the town to a farm of the grand duke's, we get a good green ride within his enclosures upon a light sandy turf. It is a dead flat indeed, but in sight of magnificent mountains: the Pisan hills on the one side, which are round and brown, grown with trees to the top, half way up olives, and above them the pines and firs of the country, among which appear a great many white houses and small villages on all parts of the

hill; on another side we have the mountains of Massa and Carrara, which are much higher, and are of a different aspect, having the rugged sides and edge and sharp peaks of an alpine ridge. I give you this description, that you may have the better notion of the rides we can take; nobody knows better than yourself how much the efficacy of that sovereign medicine depends upon the eye being fed, as one jogs on, with cheerful scenery and great prospects. We shall have still greater enjoyment when we can extend our ride to the hills themselves. At present I go out in a little carriage, and Leonard gives me his pony when we get to the turf; but I feel now so strong, that I have set Leo to inquire for a second pony, that we may take the whole in company. The riding does his stomach a great deal of good; since he has been regularly on horseback, he has complained much less of acid and other evils. * * *

Since writing this letter, I have had my ride; we are just come in. The air blows fresh, but the sun is warm, and the sky without a cloud. There are the most active appearances of spring; a strong vegetation in all the winter-sown crops, and that bustle of field labour which at no season of the year is more enheartening than at the present. The great variety of occupations here makes it still more cheering and interesting: in one field, they are still gathering the olives; in another, pruning the vines; in a third, ploughing for their Turkey-wheat; in a fourth, preparing the ground with the spade for some other sowing. Labourers are mingled of both sexes. The plough is most primitively rude; the gray oxen have a primitive beauty that seems to suit it. Nothing makes me more impatient of my restraints than the sight of these fields; for I feel far greater curiosity to know the ways and habits of this peasantry and their husbandry, and to understand a little the frame of a society so unlike what we have at home in the most essential respects, than to penetrate into the Campo Santo, with all its treasures of art. I regret that we have lost Mr Oswald, to whose assistance I looked forward in walking out to the Pisan farms when I can walk: he is gone to Rome.

The cheering hopes of renovated strength and of future enjoyment of health expressed in this letter, were also apparent in the greater degree of confidence with which Mr Horner looked forward to his future plans for the spring, and he even spoke of being unable to resist a visit to Rome before he returned to England. He at no time appeared to despair of ultimate recovery, and never uttered a word indicating apprehension that he was labouring under a fatal disease; but on more than one occasion he expressed a belief that his recovery would be slow, and that he should have a long interval of repose before he should be able to resume his active duties. Under the influence

of these feelings, he drew out a sketch of a plan for the occupation of that expected period of retirement in a small book which he headed 'DESIGNS,' adding, '*At Pisa, 2d February, 1817, under the auspices of opium and returning spring.*' This remarkable document covers a field nearly as wide as that comprehended within the ambitious aspirations of his early youth. Both the philosophy of jurisprudence, and the application of its principles to every important practical question which has in later days occupied the attention of the reformers of the law, hold conspicuous places in it. It covers the great political interests of the day; and among others, Catholic emancipation, Parliamentary reform, foreign intervention, slavery, &c. After these, we find political economy, language, grammar, and composition.*

But it was ordained that none of these designs should ever be accomplished: his feelings of improving health were an illusion; his disease was fast approaching to its fatal termination; and in four days from the date of the preceding letter, he closed his earthly career.

Two days after he had written the last letter to his father, the difficulty of breathing and the cough reappeared with some severity; on the following morning they were somewhat abated; but towards the evening they returned, accompanied by drowsiness. I slept in a room next to his own, with an open door between us. In the night I heard him moaning; and on going to him, he said that he moaned from difficulty of breathing, but that he wished to be left to sleep. I sent for Dr Vacca, who came at seven in the morning—it was Saturday, the 8th of February. He found his patient labouring greatly in his breathing, with strong palpitations of the heart, and a low, intermittent, and irregular pulse; his forehead covered with a cold sweat, and his face and hands of a leaden colour. He was, however, perfectly sensible, and spoke

* The department on *composition* is given as a specimen:—

'Collect in standard authors those turns of common expression which constitute the permanent, unvarying body of English idiom: works in which to collect these—the Bible, Shakspeare, Clarendon, Tillotson, Addison's "Spectators," Dryden, Pope.

1. Recent authors, from whose writings some knowledge of the appropriate idioms of English phraseology may be gleaned, but with more danger of mistaking temporary fashion for permanent modes:—Blackstone, but not in his show passages; Soame Jenyns; Uvedale Price; Abram Tucker; White of Selborne; Sir J. Reynolds; Cowper's "Letters," and Lady Mary's; George Ellis.

2. The rhythm of English prose; to adjust it to the sense, as well as to the sentiment. Of the former, very few examples to be produced, and those only in detached passages:—*Shaftesbury*; "Essay on Virtue;" very harmonious, but the melody rather set to the sentiment of the work than adjusted to the variations of argument and meaning. But examine it in detail. *Bolingbroke*; various. *Middleton*; aims at a Latin tune. *Junius*; some fine instances. But in that tone of sentiment, the rhythm suggested by the sentiment more easily adjusts itself to the sense. *Johnson*; in the "Rambler," no adjustment; the rhythm dictates what is said. In his greater works, some excellent instances. No ear for varied harmony.'

in a clear, distinct manner, expressing neither apprehension nor anxiety about himself. Various stimulating applications were tried; but they afforded no relief, the difficulty of breathing gradually increasing.

Although I had entire confidence in the skill of Dr Vacca, I requested, towards the afternoon, that there might be a consultation with another physician. They came together soon after four o'clock, and I left the bedside of the patient, to receive them in the adjoining room; I was absent about ten minutes, and returned alone, to prepare him for seeing the new physician. On drawing aside the curtain, I found his face deadly pale, his eyes fixed, and his hand cold; for a few moments I flattered myself that he had only fainted from weakness; but the sad reality was soon revealed to me—the precious object of my care was taken from us for ever.

On the following Monday I assented to the request of Dr Vacca, that there might be an examination of the body. It was then discovered that his disease was not consumption, but an enlargement of the air cells, and a condensation of the substance of the lungs (which the sagacity of Baillie had suggested as the probable cause of the worst symptoms), a malady which no medical skill could have cured.

Notwithstanding the symptoms of organic disease, and their long continuance, I had no serious apprehensions of a fatal termination; on the contrary, I felt an assurance that renovated health would come with the genial weather of spring in that climate. My brother's cheerfulness, his activity of mind, and the absence of all alarm about himself, had deluded me into this belief; nor had any warning expression of his acute and watchful physician prepared me for the sudden and afflicting blow which fell upon me, aggravated as it was by all that my imagination brought before me of the agony of those in my distant home when the sad intelligence should arrive. I should do injustice to my feelings were I to omit to say that, upon this trying occasion, I derived the greatest comfort from the more than friendly attentions of Mrs Drewe (the sister of Lady Mackintosh), her daughters, and the Miss Allens, her sisters, who had come to Pisa on a similar melancholy errand. They did not leave the last duties to their departed friend to be performed by strangers; and they stood by my side when I laid the mortal remains of my dear brother in his grave, in the Protestant cemetery at Leghorn.

TRIBUTES.

THE first public announcement of Mr Horner's death in England was by the following notice in the 'Morning Chronicle' of the 28th of February, which was written by his friend Mr Allen, the master of Dulwich College:—

'It is with deep concern we have to announce the death of Francis Horner, Esq. member of Parliament for St Mawes. This melancholy event took place at Pisa on the 8th instant. We have had seldom to lament a greater loss, or to bewail a more irreparable calamity. With an inflexible integrity, and ardent attachment to liberty, Mr Horner conjoined a temperance and discretion not always found to accompany these virtues. The respect in which he was held, and the deference with which he was listened to in the House of Commons, are a striking proof of the effect of moral qualities in a popular assembly. Without the adventitious aids of station or fortune, he had acquired a weight and influence in Parliament which few men whose lives were passed in Opposition have been able to obtain; and for this consideration he was infinitely less indebted to his eloquence and talents, eminent as they were, than to the opinion universally entertained of his public and private rectitude. His understanding was strong and comprehensive; his knowledge extensive and accurate; his judgment sound and clear; his conduct plain and direct. His eloquence, like his character, was grave and forcible, without a particle of vanity or presumption, free from rancour and personality, but full of deep and generous indignation against fraud, hypocrisy, or injustice. He was a warm, zealous, and affectionate friend; high-minded and disinterested in his conduct; firm and decided in his opinions; modest and unassuming in his manners. To his private friends his death is a calamity they can never cease to deplore: to the public it is a loss not easily to be repaired, and in times like these most severely to be felt.'

PROCEEDINGS IN THE HOUSE OF COMMONS ON THE MOTION FOR A NEW WRIT FOR THE BOROUGH OF ST MAWES, ON MONDAY, MARCH 3, 1817.

LORD MORPETH* rose and spoke as follows:—'I rise to move that the Speaker do issue his writ for a new member to serve in Parliament for the borough of St Mawes, in the room of the late Francis Horner, Esq.

* The late Earl of Carlisle.

In making this motion, I trust it will not appear presumptuous or officious if I address a few words to the House upon this melancholy occasion. I am aware that it is rather an unusual course; but without endeavouring to institute a parallel with other instances, I am authorised in saying that the course is not wholly unprecedented.

My lamented friend, of whom I never can speak without feelings of the deepest regret, had been rendered incapable for some time past, in consequence of the bad state of his health, of applying himself to the labours of his profession, or to the discharge of his parliamentary duties. He was prevailed upon to try the effects of a milder and more genial climate—the hope was vain, and the attempt fruitless: he sunk beneath the slow but destructive effect of a lingering disease, which baffled the power of medicine and the influence of climate; but under the pressure of increasing infirmity, under the infliction of a debilitating and exhausting malady, he preserved undiminished the serenity of his amiable temper, and the composure, the vigour, and firmness of his excellent and enlightened understanding. I may perhaps be permitted, without penetrating too far into the more sequestered paths of private life, to allude to those mild virtues—those domestic charities, which embellished while they dignified his private character. I may be permitted to observe that, as a son and as a brother, he was eminently dutiful and affectionate: but I am aware that these qualities, however amiable, can hardly, with strict propriety, be addressed to the consideration of Parliament. When, however, they are blended, interwoven, and incorporated in the character of a public man, they become a species of public property, and by their influence and example essentially augment the general stock of public virtue.

For his qualifications as a public man I can confidently appeal to a wider circle—to that learned profession of which he was a distinguished ornament—to this House, where his exertions will be long remembered with mingled feelings of regret and admiration. It is not necessary for me to enter into the detail of his graver studies and occupations. I may be allowed to say generally, that he raised the edifice of his fair fame upon a good and solid foundation—upon the firm basis of conscientious principle. He was ardent in the pursuit of truth; he was inflexible in his adherence to the great principles of justice and of right. Whenever he delivered in this House the ideas of his clear and intelligent mind, he employed that chaste, simple, but at the same time nervous and impressive style of oratory which seemed admirably adapted to the elucidation and discussion of important business: it seemed to combine the force and precision of legal argument with the acquirements and knowledge of a statesman.

Of his political opinions it is not necessary for me to enter

into any detailed statement: they are sufficiently known, and do not require from me any comment or illustration. I am confident that his political opponents will admit that he never courted popularity by any unbecoming or unworthy means: they will have the candour to allow, that the expression of his political opinions, however firm, manly, and decided, was untinged with moroseness, and unembittered with any personal animosity or rancorous reflection. From these feelings he was effectually exempted by the operation of those qualities which formed the grace and the charm of his private life.

But successful as his exertions were, both in this House and in the courts of law, considering the contracted span of his life, they can only be looked upon as the harbingers of his maturer fame, as the presages and the anticipations of a more exalted reputation. But his career was prematurely closed. That his loss to his family and his friends is irreparable, can be readily conceived; but I may add, that to this House and the country it is a loss of no ordinary magnitude: in these times it will be severely felt. In these times, however, when the structure of the constitution is undergoing close and rigorous investigation, on the part of some with the view of exposing its defects, on the part of others with that of displaying its beauties and perfections, we may derive some consolation from the reflection, that a man not possessed of the advantages of hereditary rank or of very ample fortune, was enabled, by the exertion of his own honourable industry, by the successful cultivation of his native talents, to vindicate to himself a station and eminence in society which the proudest and wealthiest might envy and admire.

I ought to apologise to the House, not, I trust, for having introduced the subject to their notice, for of that I hope I shall stand acquitted, but for having paid so imperfect and inadequate a tribute to the memory of my departed friend.

MR CANNING.—‘Of all the instances wherein the same course has been adopted, as that which my noble friend has pursued with so much feeling and good taste on this occasion, I do not remember one more likely than the present to conciliate the general approbation and sympathy of the House.

I, sir, had not the happiness (a happiness now counterbalanced by a proportionate excess of sorrow and regret) to be acquainted personally, in private life, with the distinguished and amiable individual whose loss we have to deplore. I knew him only within the walls of the House of Commons. And even here, from the circumstance of my absence during the last two sessions, I had not the good fortune to witness the later and more matured exhibition of his talents; which (as I am informed, and can well believe) at once kept the promise of his earlier years, and opened still wider expectations of future excellence.

But I had seen enough of him to share in those expectations; and to be sensible of what this House and the country have lost by his being so prematurely taken from us.

He had, indeed, qualifications eminently calculated to obtain and to deserve success. His sound principles—his enlarged views—his various and accurate knowledge—the even tenor of his manly and temperate eloquence—the genuineness of his warmth, when into warmth he was betrayed—and, above all, the singular modesty with which he bore his faculties, and which shed a grace and lustre over them all; these qualifications, added to the known blamelessness and purity of his private character, did not more endear him to his friends than they commanded the respect of those to whom he was opposed in adverse politics; they insured to every effort of his abilities an attentive and favouring audience; and secured for him, as the result of all, a solid and unenvied reputation.

I cannot conclude, sir, without adverting to a topic in the latter part of the speech of my noble friend, upon which I most entirely concur with him. It would not be seemly to mix with the mournful subject of our present contemplation anything of a controversial nature. But when, for the second time within a short course of years, the name of an obscure borough is brought before us as vacated by the loss of conspicuous talents and character,* it may be permitted to me, with my avowed and notorious opinions on the subject of our parliamentary constitution, to state, without offence, that it is at least some consolation for the imputed theoretical defects of that constitution, that in practice it works so well. A system of representation cannot be wholly vicious, and altogether inadequate to its purposes, which sends to this House a succession of such men as those whom we have now in our remembrance, here to develop the talents with which God has endowed them, and to attain that eminence in the view of their country, from which they may be one day called to aid her counsels, and to sustain her greatness and her glory.

MR. MANNERS SUTTON.†—‘I know not whether I ought, even for a moment, to intrude myself on the House: I am utterly incapable of adding anything to what has been so well, so feelingly, and so truly stated on this melancholy occasion; and yet I hope, without the appearance of presumption, I may be permitted to say, from the bottom of my heart, I share in every sentiment that has been expressed.

It was my good fortune, some few years back, to live in habits of great intimacy and friendship with Mr Horner: change of circumstances, my quitting the profession to which we both

* Mr Windham, who represented St Mawes in 1806, died member for Higham Ferrers in 1810.

† Afterwards Speaker; the late Viscount Canterbury.

belonged, broke in upon those habits of intercourse; but I hope and believe I may flatter myself the feeling was mutual. For myself at least I can most honestly say that no change of circumstances, no difference of politics, no interruption to our habits of intercourse, even in the slightest degree diminished the respect, the regard, and the affection I most sincerely entertained for him.

This House can well appreciate the heavy loss we have sustained in him as a public man. In these times, indeed in all times, so perfect a combination of commanding talents, indefatigable industry, and stern integrity, must be a severe public loss: but no man, who has not had the happiness—the *blessing*, I might say—to have known him as a friend; who has not witnessed the many virtues and endearing qualities that characterised him in the circle of his acquaintance, can adequately conceive the irreparable chasm in private life this lamentable event has made.

In my conscience I believe there never lived the man, of whom it could more truly be said that, whenever he was found in public life, he was respected and admired—whenever he was known in private life, he was most affectionately beloved.

I will no longer try the patience of the House: I was anxious, indeed, that they should bear with me for a few moments, whilst I endeavoured, not to add my tribute to the regard and veneration in which his memory ought, and assuredly will be held; but whilst I endeavoured, however feebly, to discharge a debt of gratitude, and do a justice to my own feelings.

MR. WYNN* said ‘that his noble friend (Lord Morpeth), and his right honourable friend who had last spoken (Mr M. Sutton), had expressed themselves concerning their departed friend with that feeling of affection and esteem which did them so much honour, and which was heightened by their habits of intimacy, and their opportunities of observing his character; but the virtues by which he was distinguished were not confined within the circle of his acquaintance, or concealed from the view of the world. Every one who saw Mr Horner had the means of judging of his temper, his mildness, and his personal virtues; for they were seen by all. He carried with him to public life, and into the duties and the business of his public station, all that gentleness of disposition, all that amenity of feeling, which adorned his private life and endeared him to his private friends. Amidst the heats and contests of the House, amidst the vehemence of discussion, amidst the greatest conflicts of opinion and opposition of judgment, he maintained the same mildness and serenity of disposition and temper. No eagerness of debate, no warmth of feeling, no enthusiasm for his own opinions, or conviction of the

* The Right Hon. Charles Williams Wynn.

errors of others, ever betrayed him into any uncandid construction of motives, or any asperity towards the conduct of his opponents. His loss was great, and would long be regretted.

MRS SAMUEL BONILLY said 'that the long and most intimate friendship which he had enjoyed with the honourable member, whose loss the House had to deplore, might, he hoped, entitle him to the melancholy satisfaction of saying a few words on this distressing occasion. Though no person better knew, or more highly estimated, the private virtues of Mr Horner than himself, yet, as he was not sure that he should be able to utter what he felt on that subject, he would speak of him only as a public man.

Of all the estimable qualities which distinguished his character, he considered as the most valuable that independence of mind which in him was so remarkable. It was from a consciousness of that independence, and from a just sense of its importance, that, at the same time that he was storing his mind with the most various knowledge on all subjects connected with our internal economy and foreign politics, and that he was taking a conspicuous and most successful part in all the great questions which have lately been discussed in Parliament, he laboriously devoted himself to all the painful duties of his profession. Though his success at the bar was not at all adequate to his merits, he yet steadfastly persevered in his labours, and seemed to consider it as essential to his independence that he should look forward to his profession alone for the honours and emoluments to which his extraordinary talents gave him so just a claim.

In the course of the last twelve years the House had lost some of the most considerable men that ever had enlightened and adorned it; there was this, however, peculiar in their present loss: when those great and eminent men to whom he alluded were taken from them, the House knew the whole extent of the loss it had sustained, for they had arrived at the full maturity of their great powers and endowments. But no person could recollect—how, in every year since his lamented friend had first taken part in their debates, his talents had been improving, his faculties had been developed, and his commanding eloquence had been rising with the important subjects on which it had been employed—how every session he had spoken with still increasing weight, and authority, and effect, and had called forth new resources of his enlightened and comprehensive mind—and not be led to conjecture, that, notwithstanding the great excellence which, in the last session, he had attained, yet if he had been longer spared, he would have discovered powers not yet discovered to the House, and of which perhaps he was unconscious himself. It should very ill express what he felt upon this occasion, if he were to consider the extraordinary qualities which Mr

Horner possessed apart from the ends and objects to which they were directed. The greatest eloquence was in itself only an object of vain and transient admiration; it was only when ennobled by the uses to which it was applied, when directed to great and virtuous ends, to the protection of the oppressed, to the enfranchisement of the enslaved, to the extension of knowledge, to dispelling the clouds of ignorance and superstition, to the advancement of the best interests of the country, and to enlarging the sphere of human happiness, that it became a national benefit and a public blessing; that it was because the powerful talents, of which they were now deprived, had been uniformly exerted in the pursuit and promoting of such objects, that he considered the loss which they had to lament as one of the greatest which, in the present state of this country, it could possibly have sustained.*

MR W. ELLIOT.*—‘Amongst his other friends, sir, I cannot refuse to myself the melancholy consolation of paying my humble tribute of esteem and affection to the memory of a person, of whose rich, cultivated, and enlightened mind, I have so often profited, and whose exquisite talents—whose ardent zeal for truth—whose just, sedate, and discriminating judgment—whose forcible, but chastened eloquence—and, above all, whose inflexible virtue and integrity, rendered him one of the most distinguished members of this House, one of the brightest ornaments of the profession to which he belonged, and held him forth as a finished model for the imitation of the rising generation.

The full amount of such a loss, at such a conjuncture, and under all the various circumstances and considerations of the case, I dare not attempt to estimate. My learned friend (Sir S. Romilly) has well observed, that, if the present loss be great, the future loss is greater; for, by dispensations far above the reach of human scrutiny, he has been taken from us at a period when he was only in his progress towards those high stations in the state, in which, so far as human foresight could discern, his merits must have placed him, and which would have given to his country the full and ripened benefits of his rare and admirable qualities.’

MR C. GRANT† ‘had known his lamented friend before he had distinguished himself so much as he had subsequently done; and could not be silent when such an opportunity occurred of paying a tribute to his memory. Whatever difference of opinion they might have on public questions, he could suspend that difference to admire his talents, his worth, and his virtues. It was not his talents alone that were developed in his eloquence. His eloquence displayed his heart: through it were seen his high-minded

* The Right Hon. William Elliot. See p. 277.

† The present Lord Glenelg.

probity, his philanthropy, his benevolence, and all those qualities which not only exacted applause, but excited love. It was the mind that appeared in speeches that gave them character. He would not enter into the account of his private life, although his private virtues were at least on a level with his public merits. Amidst all the cares and interests of public life, he never lost his relish for domestic society or his attachment to his family. The last time that he (Mr. G.) conversed with him, he was anticipating with pleasure the arrival of a season of leisure when he could spend a short time in the bosom of his family, and amid the endearments of his friends. When he looked at his public or private conduct, his virtues or his talents, he would be allowed to have earned applause to which few other men ever entitled themselves.'

LORD LASCELLES * 'hoped to be excused for adding a few words to what had been said, though he had not the honour of a private acquaintance with Mr Horner, whom he knew only in this House, where they had almost uniformly voted on opposite sides on every great question. Notwithstanding these differences, he had often said in private that Mr Horner was one of the greatest ornaments of his country, and he would now say in public, that the country could not have suffered a greater loss. The forms of Parliament allowed no means of expressing the collective opinion of the House on the honour due to his memory; but it must be consolatory to his friends to see that if it had been possible to have come to such a vote, it would certainly have been unanimous.'

BY MR DUGALD STEWART.

In the second part of his 'Dissertation on the Progress of Metaphysical, Ethical, and Political Philosophy, since the Revival of Letters in Europe,' prefixed to the seventh edition of the 'Encyclopædia Britannica,' edited by Professor Napier (note c. p. 236), Mr Stewart has quoted the passage relating to Machiavel, in the letter of Mr Horner to Mrs Stewart of the 17th of December 1816, beginning with the words 'Pray, tell Mr Stewart that there is a very remarkable letter of Machiavel's lately published,' &c. and has added the following tribute to the memory of his departed friend:—

'The foregoing passage will be read by many with no common interest, when it is known that it formed part of a letter from the late Francis Horner, written a very few weeks before his death. Independently of the satisfaction I feel in preserving a memorial of his kind attention to his friends, at a period when he was himself an object of such anxious solicitude to his country, I was eager to record the opinion of so perfect and accomplished a judge

* The late Earl of Harewood.

on a question which, for more than two centuries, has divided the learned world; and which, his profound admiration of Machiavel's genius, combined with the most unqualified detestation of Machiavel's principles, had led him to study with peculiar care.

The united tribute of respect already paid by Mr Horner's political friends and his political opponents, to his short but brilliant and spotless career in public life, renders all additional eulogies on his merits as a statesman equally feeble and superfluous. Of the extent and variety of his learning, the depth and accuracy of his scientific attainments, the classical (perhaps somewhat severe) purity of his taste, and the truly philosophical cast of his whole mind, none had better opportunities than myself to form a judgment, in the course of a friendship which commenced before he left the university, and which grew till the moment of his death. But on these rare endowments of his understanding, or the still rarer combination of virtues which shed over all his mental gifts a characteristic grace and a moral harmony, this is not the proper place to enlarge. Never, certainly, was more completely realised the ideal portrait so nobly imagined by the Roman poet (Persius):—"A calm devotion to reason and justice, the sanctuary of the heart undefiled, and a breast glowing with inborn honour."

LETTER FROM THE REV. SYDNEY SMITH TO MR L. HORNER.

'COMBE FLOREY, 26th August, 1842.

MY DEAR SIR—You desire me to commit to paper my recollections of your brother. I think that the many years which have elapsed since his death have not at all impaired my memory of his virtues, at the same time that they have afforded me more ample means of comparing him with other important human beings with whom I have become acquainted since that period.

I first made the acquaintance of Francis Horner at Edinburgh, where he was among the most conspicuous young men in that energetic and fragrant city. My desire to know him proceeded first of all from being cautioned against him by some excellent and feeble people to whom I had brought letters of introduction, and who represented him to me as a person of violent political opinions. I interpreted this to mean a person who thought for himself—who had firmness enough to take his own line in life, and who loved truth better than he loved Dundas, at that time the tyrant of Scotland. I found my interpretation to be just, and from thence, till the period of his death, we lived in constant society and friendship with each other.

There was something very remarkable in his countenance—the commandments were written on his face, and I have often told him there was not a crime he might not commit with impunity;

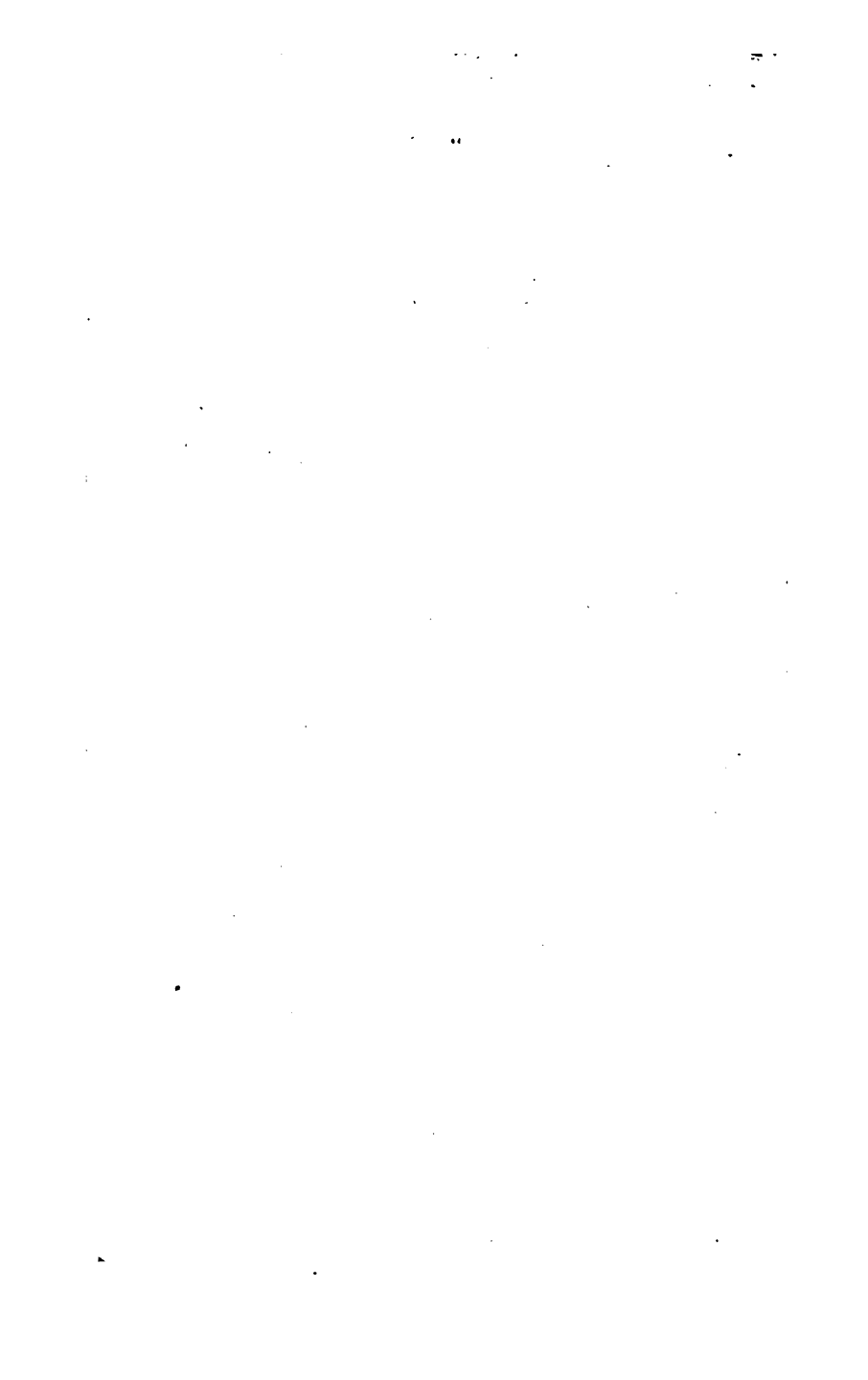
James Abercromby. It was executed by Sir Francis Chantrey, and is considered to be one of his most successful productions.

The following is the inscription on the pedestal:—

‘TO THE MEMORY OF
FRANCIS HORNER,
 WHO, BY THE UNION OF GREAT AND VARIOUS ACQUIREMENTS
 WITH INFLEXIBLE INTEGRITY AND UNWEARIED DEVOTION
 TO THE INTERESTS OF THE COUNTRY,
 RAISED HIMSELF TO AN EMINENT STATION IN SOCIETY,
 AND WAS JUSTLY CONSIDERED TO BE ONE OF THE
 MOST DISTINGUISHED MEMBERS OF THE HOUSE OF COMMONS.
 HE WAS BORN AT EDINBURGH IN 1778,
 WAS CALLED TO THE BAR, BOTH OF ENGLAND AND SCOTLAND,
 AND CLOSED HIS SHORT BUT USEFUL LIFE AT PISA IN 1817.
 HIS DEATH WAS DEEPLY FELT
 AND PUBLICLY DEPLORED IN PARLIAMENT.
 HIS AFFECTIONATE FRIENDS AND SINCERE ADMIRERS,
 ANXIOUS THAT SOME MEMORIAL SHOULD EXIST
 OF MERITS UNIVERSALLY ACKNOWLEDGED,
 OF EXPECTATIONS WHICH A PREMATURE DEATH
 COULD ALONE HAVE FRUSTRATED, ERECTED THIS MONUMENT,
 A. D. 1823.’

THE END.







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